

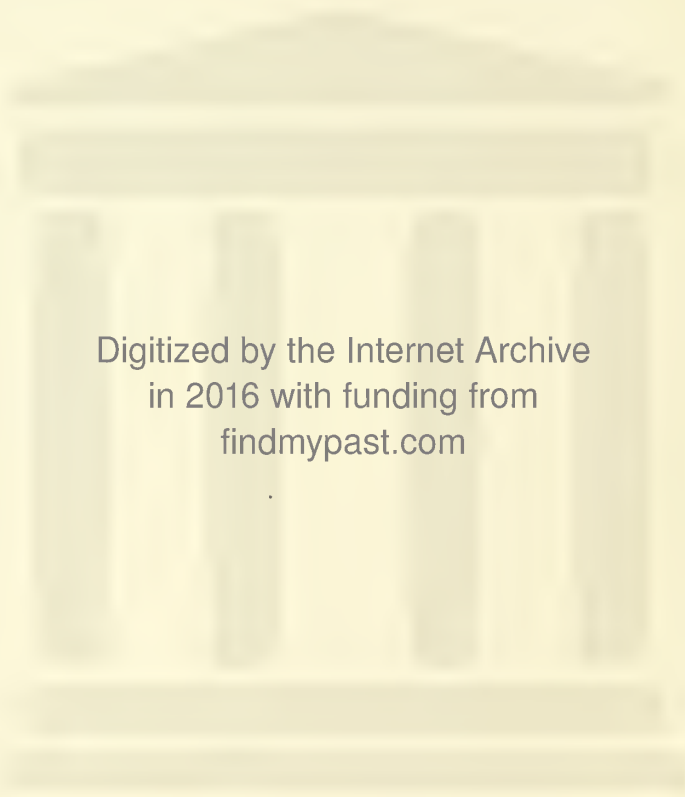
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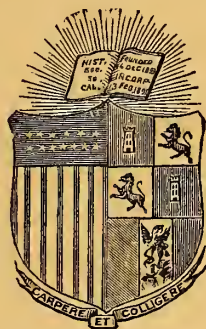
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VOL. XIII

ANNUAL PUBLICATIONS



HISTORICAL SOCIETY

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OF

SOUTHERN CALIFORNIA

1924

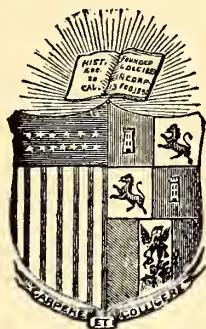
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**OFFICERS OF THE HISTORICAL SOCIETY OF
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— FOR —
1925

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COL. J. J. WARNER
*First President of the Historical Society of
Southern California*

NEW LIGHT ON J. J. WARNER

BY LILLIAN A. WILLIAMSON

Note—The author wishes to acknowledge her indebtedness to Mr. and Mrs. Albert Warner for extensive quotations from the *Southern Vineyard*, and also to Mrs. Geo. Evans for copy of Col. Warner's picture and his home and other data.

In working out his pattern in life, Col. J. J. Warner wrought with a bold and fearless stroke, not with the idea of making his own design attract the approbation of those around him, but with the broader, bigger purpose of making his life fit into and complement the great life-pattern to which every one is supposed to contribute of his best.

The history of a nation is not recorded through the lives of its heroes alone, but through the life of the individual who daily touches the masses. Col. Warner had this close contact with people in all walks of life.

It is rather difficult to separate the threads of his life as they are so closely interwoven with those of other early pioneers who worked untiringly for the common cause. Col. Warner was a man who wrote and spoke very little of himself, and it is only by reading between the lines of his own writings, or interviewing those who knew him intimately (and there are but few of them left) that we can get at his real life story.

Perhaps the highest encomium paid Col. Warner by one of these early settlers is that of Dr. Joseph Widney, who came here in the late sixties, and who with Col. Warner and Judge Benj. Hayes wrote *An Historical Sketch of Los Angeles County in the Centennial Year*.

This is the most valuable and accurate history we have of our County. Col. Warner wrote that part of the "History" from 1776 to January, 1847. When we asked Dr. Widney about Col. Warner as a man, he said:

He was a good, clean, kindly man, just and fair in all his dealings, simple in his tastes, not a money-maker, but better than that—he was a man of whom the country may be proud.

His grand-daughter, Mrs. Evans, said that he was often called "George Washington the Second," because the never told a lie and never swore. He was very fond of company, and every holiday found a large gathering of friends at his home; and even when he was blind, the cabs and carriages of friends lined the driveway of his home, especially on Washington's Birthday.

Mrs. Evans says her grandfather never failed to take his daily walk and physical exercises.

He had a copper ring made by hand and carved by an Indian. This was given to him to ward off disease.

From the Indians he learned that the "Yerba Mansa" was good for coughs and colds and he would send out to the Cienega swamps, south of where the Los Angeles High School now stands, to get this by the sack-full. He learned from Washington, D. C., that the botanical name is *Anemopsis Californica*. A tea was made from the root of this plant and this was the panacea for almost all ills. He found it so beneficial to himself and family that he got Heinsman, the druggist, who had a drug store in the Temple Block, to keep it in stock. Whatever he had that was good, he always wished to share with others.

Judge N. P. Conrey, who came to Los Angeles as a young man in 1884 and had offices next to Col. Warner, (who was then a Notary Public) says Col. Warner was an excellent raconteur and told him stories of the old settlers, so that the names of the old families became very familiar to him, and he felt he almost knew them personally. It was about this time that Col. Warner's sight began to fail.

He was a man who, although he was affiliated with no particular sect, was a deeply religious man. He sometimes attended the Congregational Church and sometimes the Pro-Cathedral, Mr. Birdsall, the Rector of St. Paul's Pro-Cathedral, being an especial friend. His grand-daughter says the "Golden Rule" was his religion.

In an editorial written in *The Southern Vineyard*, dated April 8, 1859, we get something of an idea of his philosophy of life and his views on the hereafter, when he says,

Suffering constitutes a large element in human existence. Who knows why? How is this consistent with the goodness of God? It is a wrong view of heaven which regards it as a place of rest in a sense of passive, indolent enjoyment. It is probably a sphere of action, of course varied, but like our life involving offices of benevolence and usefulness, requiring different training and different education and discipline.

We find here and there persons who seem already to have made more progress in the Christian life, even as respects those virtues which severe trials inculcate, than any people we know; and yet those are the very ones whom, of all others, Providence, if we may so speak, picks out to suffer again and again most keenly. Why is this? we ask. Why, if there be good in trial, why are not those selected that need it so much more? Perhaps were a correct answer given in an individual case, it would be something like this: "That soul suffers mainly that it may be prepared to serve others greatly. Its happiness in the other life is to be that of benefitting others, in a degree, and to an extent, not to be enjoyed by all." For that high, blissful office not only a general goodness is needful, but a particular kind of goodness, and this ripens only amid suffering.

If this be the case, we are sure Col. Warner is reaping the greatest happiness in that other, richer life; for his

cup of sorrow was often filled to the brim; but he accepted his fate with the courage of a martyr.

Mrs. Evans has a letter written by the wife of a prominent business man here in this City, dated January 1895, part of which reads as follows:

128 North Bunker Hill Ave.
Los Angeles, Calif.,
January 13, 1895.

Col. J. J. Warner,

Well remembered and Highly esteemed Friend,

If I may thus have the honor to address you.

Possibly my name and personality may have passed from your mind, but conspicuous among those whom my husband and I first met in the City of the Angels remains yourself. * * * Your friends would have had it otherwise with you in the matter of your lost sight, but to know that you hold a position of honor in the hearts of your fellow-citizens must certainly afford you very pleasant thoughts. * * *

Very sincerely,

Although this was but three months before Col. Warner's death, we see written in a good steady hand, "Answered, Jan. 17, 1895."

Some of the old settlers still speak of Col. Warner as "Don Juan."¹

One of these says that she remembers when she was a girl, she often saw Col. Warner, when blind, come into St. Paul's Pro-Cathedral, led by his grand-son, and he was then pointed out as one of the early pioneers and a prominent factor in the early history of Los Angeles.

This same lady says that he prophesied the flood of 1884. When he saw the people building their homes right in the river bottom, and along the edge, he warned them against it, for he recalled the earlier floods; but they only laughed at him. However, she said when the flood came, it washed out all the bridges except the covered Macy Street bridge; and houses, household belongings, railroad trains, sheep and cattle, and even an old cemetery with its dead, went floating down the stream.

Col. Warner's education was very broad, not from study in schools alone, but from that which he procured from close contact with nature, with people of varied habits and tastes, and through voluminous reading.

It may be well to speak here of Col. Warner's contribution to science in the pamphlet called *The Warm and*

1. Jonathan Trumbull Warner, (Juan José Warner, his middle name being changed to José, as Trumbull had no equivalent in the Spanish language, and it was not easily pronounced by the Spaniards.

the Cold Ages of the Earth in the Northern Latitudes, published in 1884.

In this Col. Warner says that in 1830, when first seeing the rock formation with which the bluffs of the Illinois and Mississippi Rivers were faced, he felt that here was an incomprehensible phenomenon. But in the years 1830 to 1834 while traveling overland from Missouri to California by mule, and up the coast, and in the interior as far as the Klamath Lake country, geological phenomena were continually presented to his view and consideration. He was a keen observer and finally found a solution that satisfactorily explained the formation of the stone facings of the bluffs of the Illinois and Mississippi.

He also speaks of the rock reefs of San Miguel Island off Point Conception as being largely composed of fossil oyster shells. Large oyster beds were also to be found on the high land near the source of the Salinas River in San Luis Obispo County. These were of gigantic size. One of these oysters, he says, according to James Terry, measuring 17½ inches, and weighing 35 pounds, is now in the Museum of Natural History, Central Park, New York.

Colonel Warner calls attention to the fact that there are also fossil beds in the mountains between Santa Monica and the mouth of the Santa Clara River; and between the San Fernando Valley and the sea, and also in the hills north of Anaheim. He said that these oysters did not die a lingering death due to age, disease, or want of suitable food, nor by the gradual change in the elements, but were suddenly killed by a cataclysm, accompanied by an almost instantaneous chemical or other change in the properties of their bed, or of the water in which they had lived. He reached this conclusion by observing that the two halves of the oyster were firmly closed and that no sand nor dirt was in the lime petrification, and so death must have taken place when the valves were tightly shut, due to the shock of the cataclysm.

From this we can see he was a close observer of nature, and that while riding through the country, hunting the beaver and sea-otter (as he did in California in 1832 and 1833), and again while going East in 1840 to awaken an interest in the great Trans-Continental Railroad, his scientific mind was ever alert to delve into, and solve the great mysteries and phenomena of nature.

In his "Early Reminiscences of California in 1831," published by this society in Volume VII, Nos. 2 and 3, Colonel Jonathan Trumbull Warner tells of his purpose in coming to California.

He was born in Lynn, New London County, Connecticut, on March 20th, 1807, and according to the *Family Tree*, made by Andrew Warner and Colonel Warner (which is in the possession of his grandson, Albert Warner), he came of English ancestry on both sides. In fact, the families of his father and mother were distantly connected.

He was the youngest of nine children. His father was a Yale graduate, but preferred farming to a professional life and consequently took up government land in Ohio, and here most of his children were raised and given a fair education.

At the age of twenty-three, young Warner left home on account of ill health to hunt a milder climate. He had no fixed objective point, but drifted with the masses who were moving westward, and 1830 found him in St. Louis at the time that the Rocky Mountain Fur Company, which was at first controlled by Ashley & Smith, and later by Smith, Jackson & Sublette, had arrived with a wagon-load of furs brought from the Rocky Mountain region. He felt this was his opportunity, not only of gaining his health, but also of satisfying that strong urge for adventure that was welling up in his young heart.

He sought an interview with Jedediah Strong Smith; but that gentleman persuaded him that he was more likely to meet death than gain his health, and he also told him that a life of roughing it in the mountains would unfit him for civilized life, even if he escaped death from the Indians.

However, Smith, whose intention it had been to give up the fur-trading, as he had been following this pursuit for eight years, decided that it would be necessary on account of an unusually large shipment of goods, to go with his two younger brothers and the other two proprietors of the company; and so he hired young Warner to go with them as a clerk. As all of these men were good Christian men of temperate habits, young Warner was especially fortunate. It was on this trip that Jedediah Smith was killed by the Indians. After his death, Jackson and Sublette dissolved partnership, and Jackson entered into partnership with Dr. David Waldo and Ewing Young when the company arrived in New Mexico. The new company was formed to go to California and purchase mules for the Louisiana Market, and young Warner was hired by these men, and arrived in Los Angeles December 5, 1831.

It is hard to realize that this busy commercial city of over one million population, with its wonderful net-work of railroads, its magnificent buildings and honk and whistle

of automobiles, and hum and whiz of its factories and mills, was just a sleepy little Mexican village of less than one thousand population (not a half dozen of whom were Americans) when J. J. Warner came here with Jackson's caravan. The business and residence portion was confined within a few blocks of the Plaza. Instead of the cars and automobiles of today, the *carretas*, drawn by yoked oxen, with squeaking axle, rattled over the dusty roads.

Young Warner immediately left with Ewing Young and a few others to go up the coast of California as far as Point Conception, and into the interior as far as Klamath Lake.

Mr. Jonathan Scott, who often conversed with Colonel Warner in later years, says that Colonel Warner told him that up in the Klamath Lake country a band of Indians came down the waters on their rafts made of tules, and shot at them with their bows and arrows; but the men soon returned the salute from their quick rifles, and after killing several Indians, they were not further molested.

While going through the Tulare country, they encountered large numbers of elk, and they killed a number of these, and made what the Mexicans call "jerked meat." After pounding this up they poured over it the oil which they had extracted from the fat of the elk, and this made a nourishing and concentrated food, very acceptable to them, since they had been living chiefly on fish and nuts on this trip.

It had been Colonel Warner's intention to go back East again after this trip, but the year of 1833 found him again ill in Los Angeles, and he decided to remain and regain his health. In the latter part of this year and during the next he acted as clerk for Don Abel Stearns and John Temple, successively. He became a fluent Spanish conversationalist in the next few years and engaged in the mercantile business, part of the time in company with Henry Mellus, near the St. Elmo Hotel.

In 1837 Colonel Warner was married, at San Luis Rey Mission, to Anita Gale, the daughter of an English sea captain, who had brought her here, and, at the age of five, had placed her in the care of Doña Eustaquia Pico, the mother of Don Pio Pico. This good woman gave her a mother's care. (Mrs. Evans has the little testament that belonged to her grandmother, Anita Gale.)

In 1843 Colonel Warner went down to San Diego, and upon becoming a Mexican citizen, he was given eleven leagues of land which had belonged to Don Pio Pico the year previous. This was known as "Agua Caliente" from

its hot spring; but after Warner moved to the rancho, it was known as "Warner's Ranch."² During the war with Mexico this ranch was in the lime light, for the army officers procured their food and sometimes bought their animals of him.

In a footnote, in Colonel Warner's Historical Sketch, we read from Dr. Griffin's Journal:

On December 2nd, 1846, we arrived at Warner's, the extreme frontier settlement of California. He is living very comfortably; seems to have plenty of cattle, horses and sheep, and certainly has a fine range for them. This is called "Agua Caliente—boiling spring—a vineyard." We obtained some of the grapes, dried, and they were nearly as sweet as raisins, and of fine flavor; also watermelons from the Indians.

Lieutenant Emory of Kearny's Division in his *Reconnaissance in New Mexico and California*, published 1848, says that when their division was coming into California in 1846, they thought that they would never get to Warner's ranch; that the men were nearly famished for food. When they did arrive, they found a young New Hampshire man, named Marshall, in charge. He said that his employer was a prisoner to the Americans in San Diego. He describes Colonel Warner's house as a "back-woods American-looking house, built of adobe and covered over with a thatched roof. Around were the thatched roofs of the more than half-naked Indians, who were held in a sort of serfdom by the master of the rancheria. Near the house was the "Agua Caliente," "a hot spring of the temperature of 137° Fahrenheit, which discharged from a granite rock." He also says that there were hills on all sides, and great live oaks growing in the valley.³

A little later on the writer will explain, or let Colonel Warner explain, why he was imprisoned in San Diego by the Americans.

After two years, 1851-52, spent in representing San Diego in the legislature, and after several uprisings from the Indians, Colonel Warner decided to make his home in Los Angeles.

Although historians say he came back to Los Angeles in 1857, the grand-children say they are sure that it was in 1855. They know this to be correct, as Colonel Warner's youngest

2. "The ranch takes its name from John or Jonathan Warner, a native of Connecticut to whom it was granted by the Mexican Government a few years before the cession of California to the U. S. Of him little is remembered beyond the legend that to his intimates he was known as Juan Largo (Long John)."—Chase, *Desert Trails*.

3. Lieutenant Emory says: "The day will come, no doubt, when the invalid and pleasure-seeking portion of the white race will assemble here to drink and bathe in these waters, ramble over the hills which surround it on all sides, and sit under the shade of the great live oaks that grow in the valley."

daughter, their mother, was born September 13, 1855, in Los Angeles, and because they had heard their grandfather say it was due to the state of health of the grandmother that he left the ranch, and that he sold it for \$250.00 in gold.

Mr. Isador Polaski, whose parents lived in a house back of the Carillo house, and later next to the Cathedral, remembers Colonel Warner as a very tall man, probably six feet three inches, straight as an arrow, coming down Main street from his home between Fifth and Sixth streets, which was then considered out in the country. He always walked in those days; never wore an overcoat, but was always dressed in a long, double-breasted frock coat and slouch hat. He was fearless in his convictions and would fight for what he thought was right.

This trait was a big asset, since in 1857, when a paper called *The Southern Californian* was dissolved, the material and press being purchased by Colonel Warner, he became, in 1858, the editor of the *Southern Vineyard*. This was a newspaper published every Saturday at first, but changed on December 10th to a bi-weekly. It is interesting to note that at first in this paper the city was called "Angelus," "Los Angeles" being first used when the paper became a bi-weekly. The motto used throughout the two years of its existence was: **"Men Competent to Govern Themselves Require but Little Aid from Those in Whom the Sovereign Power Is Deposited."**

It was then, as we have said, as editor of this paper, which had its life during such a critical time in the political situation of the country, that Colonel Warner needed those strong traits which were born and bred in his blood, and which his early adventures had materially strengthened.

One of his grandsons says it was while editor of this paper that a little clique of politicians came to his office one day and threatened to shoot him if he should print certain items in his columns. His answer was, "Gentlemen, you may do as you please, but this will be published in tomorrow morning's issue." He published this item in the next morning's issue up-side down to attract attention.

The next two years were sad and eventful years in Colonel Warner's life. On April 24, 1859, he lost his wife. Thompson and West's History of 1880 says she died in 1858, but Mrs. Evans has the funeral announcement which reads:

The sorrowful duty devolves upon me to announce to you the death of Anita G. Warner, at 8 o'clock yesterday evening.

The funeral will take place on Wednesday morning, the 27th, at 9 o'clock, from the residence of the deceased, to the Catholic burial ground.

Your assistance is sincerely solicited.

J. J. Warner.

Angelus, April 25, 1859.

The *Southern Vineyard* of April 26, 1859, printed the following announcement:

DIED—In this city, on Sunday evening, 24th inst., Anita G. Warner, wife of J. J. Warner, aged 37 years.

Following so closely on this and while in his deep sorrow, political troubles crowded upon him. Things were becoming very tense among the Democrats at about this time, and there was a split in the Democratic Party. Colonel Warner, who had been a whole-hearted Democrat, now allied himself with what were called the Northern Democrats, and he became a strong Douglas man.

Those of the opposite faction who had been his warmest friends, now, seemingly became his bitterest enemies. The fact that he had such a strong hold on the people at large and might have a still greater power of influencing the people through his paper, made his antagonists leave no stone unturned to try to undo him and down his paper. In the political campaign of 1859, Colonel Warner became a candidate for the office of Assemblyman from Los Angeles on the opposition ticket. Politicians in those days were no easier on their opponents than they are today; and so, knowing that Colonel Warner had been imprisoned in San Diego, and in Los Angeles, even though they knew it to have been unjustly, they felt here would be a strong weapon to wield against him and thus weaken his chance for election. Consequently a large mass meeting was called in Ira Thompson's Willow Grove picnic ground in what the people called "The Monte"—now known as "El Monte."

Perhaps it may not be amiss to give enough of the description and character of the meeting to give a better idea of the setting for the battle of words which follows:

The *Star* of July 30, 1859, says:

The place of meeting was well selected—a grove at the ground of Ira Thompson. The spreading branches of willows afforded an agreeable shade and protected the audience from the fervid rays of the sun.

Benches had been placed for the accommodation of a large assemblage, but so great was the desire to hear the eloquent gentleman (Col. Kewen, Candidate for District Attorney), who expected to address the Democracy, that standing room could scarcely be found within sound of the speaker's voice for the immense masses.

The ladies, God bless them, turned out in great numbers. By their presence they signified their sanction and approbation of the cause. They had a powerful influence. With their sweet smiles and gentle

plaudits, they encouraged the battle which is now being waged in the County against political fraud and upstart, mock Democracy. With such support, no wonder the speakers were eloquent in defense of right, and bold and fearless in their assertions.

Benches given to the ladies were fully occupied by an array of beauty such as no other portion of the State ever witnessed.

The dinner was served in a highly creditable manner. The meats were cooked to a turn, the tables were laid in most shady nooks. An abundance of wine flowed freely, everything being on a scale of princely magnificence. A band of music was in attendance and contributed its share to the enjoyment.

After a speech by Murray Morrison, Col. E. J. C. Kewen spoke. He said:

Since there is a split in the Democratic party, there are those who still claim to be Democrats, but under this deceptive disguise they have rendered themselves more dangerous than men who are the avowed enemies of our political faith.

After the editor had told how Col. Kewen said he disliked to indulge in personalities, etc., he went on to say that Col. Kewen had been made the target of especial assault from Col. Warner, and but for the fact that the individual referred to (Warner) was on the opposition ticket which invested him with an apparent respectability, he would not condescend to elevate him to the dignity of notice. After a few sarcastic remarks he went on to say:

During the war with Mexico, he (Warner) was a resident of California and solicited from the Officers of the American Army, and under pretense of taking them to a place where they could be suitably provided, he betrayed them into ambush of the enemy, and American blood was the price of his treason and his infamy.

Not content with the result of his ignominious betrayal of his countrymen, he had an itching palm for the limited animal property in possession of the American force, and becoming oblivious of the distinction between *meum* and *teum*, appropriated the mules of the American Army to his own use; for which singular act of forgetfulness as to the right of property, he was incarcerated for months in the prison of Los Angeles, a traitor to his Country, and a purloiner of his Country's property. He was eminently entitled to the consideration of the hangman; but the charity of the betrayed and despoiled rescued the betrayer and despoiler from the doom of infamy to which his peculiar merit had directed him.—That man was John J. Warner, the editor of the *Vineyard*, and candidate of the opposition for a seat in the Assembly of California.

The editor says these assertions were made by Col. Kewen upon the authority of Major Hensley of San José, Major Gillespie of Sacramento, and B. D. Wilson of Los Angeles. He thinks they are ample guarantees of "the truthfulness and integrity of their representations."

Col. Kewen further says:

And yet this man assumes to expound the principles of Democracy, and assail his superiors with the accusations of political apostacy. * *

* Pardon is for men—not for reptiles. * * * We have none for

Warner, and no resentment. * * * Things like him must sting, and higher beings suffer. * * * By the adder's fang, the crawler may be crushed. * * * [But Col. Kewen says he feels no anger.] * * * 'Twas the worm's nature, and some men are worms in soul, more than the living things of the tombs.

After this bitter invective, only a part of which we have quoted, Col. Kewen takes up his own candidacy (that of District Attorney), and goes on further to assail General Drown, his opponent for the office.

Col. Warner's reply came out in the *Southern Vineyard*, August 1st, 1859, as follows:

The plotting, combining and conspiracies of E. J. C. Kewen and his band of satellites to wrest the printing office from which the *Southern Vineyard* is issued from the possession of the editor having proved a signal failure, a grand barbecue was brought out by himself and his coadjutors on Saturday last, for the purpose of demolishing the editor. This barbecue was held in the interior of the county, some fifteen miles from the city. Surrounded by those who, for the occasion are his co-workers, he took the opportunity to vilify and traduce both the *Vineyard* and its publisher.

It is publicly reported that he said: "A few years since there was a gathering speck of war. The Americans had a small army here on the shore of the Pacific. This little army, by the treachery of J. J. Warner, was betrayed into ambush of the enemy, and under the fire of their foes. There American blood was spilled by the treason of that man. For this offense he was long imprisoned in San Diego. This same man, Warner, was also imprisoned in Los Angeles in the house of B. S. Eaton for having stolen government mules, and he wasted in the jail for months until, through the intercession of Abel Stearns and B. D. Wilson, Esqs., he was released on the plea that he was crazy or a fool. It was only through the importunity of these same gentlemen that General Graham was prevented from ordering him shot."

Col. Warner then says:

The character of the persons who have related this is such as to raise the assumption that such was the language used on the occasion. The historical fact that the writer (Warner) deserted an honorable profession, abandoned his own country, with his accomplices, for the avowed purpose of despoiling the inhabitants of their goods, chattels, lands and homes, and converting them to their own private use, and benefit, for the purpose of butchering a people with whom his own government was at peace, that the spoils of the unhallowed crime might serve to pamper his vanity, and that of his compeers in piracy, strengthens the presumption.

If Col. Kewen did say what is reported as having been said by him, and which is quoted above, I denounce it as a base and malicious lie, and challenge him to come out under his own signature and publish in a tangible form and manner that which he said when surrounded by those who might hear to suit his base purposes. (Los Angeles, August 1st, 1859.)

In his August 6th issue of the *Vineyard*, Col. Warner publishes a letter addressed to Hon. B. D. Wilson, who until the political oppositions came up had always been a staunch friend of his. He also addressed notes with copies of the

Star to Dr. J. S. Griffin, Hon. Don Abel Stearns, Hon. Stephen C. Foster, Alexander Bell and others.

Col. Kewen had stated that he had procured his information from Hon. B. D. Wilson; but that gentleman said, and history bears him out, that he was a prisoner himself on the Jurupa Ranch at this time and so could not have been in San Diego County. To be brief, we quote a sentence from the reply of Hon. B. D. Wilson, whose letter in full of August 8th, was published in the *Vineyard*. It is—

As the facts necessary to establish your guilt were not within my personal knowledge, I have not stated as a fact that you were guilty.

An excerpt from the answer of Alexander Bell is as follows:

I have no knowledge except of seeing you as you came into the City. Observing your evident weak and feeble condition, I had prepared in my house, without delay, some food for you, which was taken to the guard-house by my servant whom I accompanied. On our arriving there, I was told by the Sergeant of the Guard that no person could be permitted to hold intercourse with you. I then applied to the officer of the day and obtained a written order to see you, and on presenting the order you were brought out of the prison room and an interview took place outside the guard-house. The general impression here in Los Angeles at the time was that you were unjustly and harshly treated and that the mules you were accused by Maj. Graham of having stolen were received by you from the Acting Quartermaster of the escort that accompanied Gen. Joseph Lane, and that the treatment of yourself by Major Graham was a gross outrage. The probability is that if you had ever attempted to lead a party of Americans into an ambuscade of the enemy I should have heard of it,

Dr. J. S. Griffin, who arrived in California December, 1846, as medical officer of Kearny's Escort, said:

He (Kewen) knew full well that the only drop of American blood shed was at San Pasqual when Warner was in the San Diego prison. The imbecility of the man led him to believe he could bolster up and keep in position a rotten and corrupt political dynasty about one who was the candidate in opposition to himself and associates, and the editor of a paper, which could not be muzzled, suppressed or made to bend to their machinations. (August 7th, 1859.)

Two days after this, in an article entitled "The Hon. B. D. Wilson and J. J. Warner," Col. Warner throws a great deal of light upon this whole situation.

Some years since J. J. Warner, a ranchero, by the circumstances which surrounded him and by a succession of events which he could neither control nor avoid, incurred the hatred of a Lieutenant of Marines, and from this the suspicion of most of the U. S. Army Officers then in the present State of California.

While resting under such odium, he was dragged away from his home and from his family, leaving a sick wife, and a sick child, neither of whom could raise themselves from their beds of sickness, on the charge of having stolen some starved and dying mules.

He was ignominiously treated by the officer at whose order he was arrested. Worn out with lonely watching by the bed of sickness, and

not a neighbor within thirty miles, to whose care he could commit a sick and helpless family, he was compelled to proceed to the camp where, under the ensigns of military authority, inebriation ruled with continuous sway.

Here his horse was taken from him and he was compelled to wend his way on foot, while his own horse was made to serve his malicious persecutors.

When unable longer to walk, he was thrust into a wagon, and thus brought to Los Angeles.⁴

The precaution had been taken by his oppressors to send word in advance of his arrival, that he had been detected stealing mules; and thus he was marched through the streets of Los Angeles between armed soldiers, to the common prison, where he was shut up with orders to his keepers to allow no one to have intercourse with him.

While he was thus incarcerated, the hand and voice of B. D. Wilson was extended to liberate him from close confinement; and although yet a prisoner, was by Mr. Wilson in the most friendly manner received into his family.

Nearly a decade of years has rolled away, and we challenge Mr. Wilson to point to one act, to one word, which J. J. Warner did or said to the injury of Mr. Wilson, or that could be construed into forgetfulness, on his part, of the great favor which he received.

If the innermost recesses of his heart could be exposed and brought to light, we know nothing there could be found, regarding Mr. Wilson, but a deep and continued sense of unrequited favor.

The times have changed. J. J. Warner is the editor of a paper which is not politically subservient to that immaculate clique of politicians into whose pure and innocent hands Mr. Wilson has committed his political being.

He goes on to say that the clique, in seeking the destruction of J. J. Warner, do not present themselves "with sword and pistol and a filthy prison like the hireling soldiers, but assassin-like they surrepticiously stab at his character and reputation."

And he now asks, "Why does not Mr. Wilson now come forward as he did ten years ago and defend him?"

He goes on to show how the little clique of political followers, by "flattery and sycophancy" have turned his "facile mind"; and how he has loaned himself to the "base purposes of his worshippers." So he, in order "to feed the hungry pack that surrounded him" went back to hunt up, not the record of one to whom he had extended the friendly hand, "but to dig up what he knew to be the slanders and calumnies of the traducers of J. J. Warner." He further says:

We sincerely and deeply regret that we should in the decline of life, find ourself compelled to animadvert so strongly upon one whom we have for years looked upon with respect and with confidence as our friend, but we are determined to die in the harness if necessity requires,

4. There were two different arrests, one in 1846 for communication with the enemy, and one in 1849 when brought to Los Angeles by Lieutenant Givens for being charged with stealing Government mules.

and neither the stealthy darts of the assassin, who makes our character the sport of his vindictiveness, nor the pitiful aid and countenance of former friends to their maliciousness, shall turn us from the course which we have marked out for ourself, and which our judgment and our conscience demands.

The following items taken from a statement by Elijah Moulton, who was a member of Frémont's Battalion from 1846 until it disbanded, will throw still further light upon these unhappy circumstances:

When General Lane arrived and Lieutenant Hawkins came to Los Angeles on his way to Oregon about the commencement of 1849, I met Pierre Chaquet, a mountaineer that I had known on the Yellowstone and in the Rocky Mountains. He went to San Bernardino with me, and afterwards accompanied me to the mines.

He told me that he came through with Lieutenant Hawkins and General Lane, having been employed as a hunter for the party. He also told me that as they came down the Gila River, after striking the trail of Major Graham, they frequently found mules which had been left by, or strayed from the command of Major Graham.

He said that such of the mules as were in a condition to be of service were brought along and used.

He further informed me, that on their arrival at Warner's Rancho the animals of Lieutenant Hawkin's command were broken down, and unserviceable, and that Lieutenant Hawkins traded with Mr. Warner for animals with which to continue his march, and that in this trade, Lieutenant Hawkins sold and delivered to Mr. Warner a number of mules, among which were some mules which had been picked up by the party on the Gila River.

This information was first communicated to me by Pierre Chaquet at San Bernardino in 1849, and was frequently repeated by him while we were together in the mines. (Los Angeles, August 10, 1859.)

The article published on August 26, 1859, speaks for itself.

Having been urged by my many friends to put a statement of the many circumstances which caused my arrest by Lieutenant Givens, I have, in consideration that there are at this time many persons ignorant of the cause, determined to publish the facts.

In the winter of 1848-'49 Gen. Joseph Lane, with an escort of U. S. Troops, arrived at my home in the valley of San José, and County of San Diego (Warner's Rancho). He arrived during a severe snow storm and the whole county was covered with snow.

He passed the night at my house and on the following morning, to enable his escort to continue their march, at a sacrifice to my business, I sold to the commander of the escort, Lieutenant Hawkins, of the Mounted Rifles, some six or eight animals, and in part pay, I received from him some twelve or fifteen broken down and starved mules. At this time Major Graham with four companies of dragoons was at Vallecitos—30 miles east of my rancho—incapable of continuing his march, and waiting assistance from San Diego, after the arrival of which he was enabled to move only a part of his train, leaving Lieutenant Givens in command at the camp. Major Graham subsequently sent assistance to Lieutenant Givens to enable him to resume his march.

From the time of his leaving the camp, at Vallecitos, there were men in his company engaged in hunting up mules which were left or lost by Major Graham's command. These men took, and drove from my

rancho, some five or six of the mules traded to me by Lieutenant Hawkins. Lieutenant Givens, under pretense that these mules had belonged to the command of Major Graham, ordered my arrest and brought me to Los Angeles, where the Alcalde, upon my written application to know why I was imprisoned, and for a trial, informed me that his office and himself were subject to military authority and that he could not interfere in the case.

During my imprisonment I obtained these facts: that Colonel Washington and Major Graham, forming one command, marched through the northeastern part of Mexico to Sacramento, in Chihuahua, where the command was divided. Colonel Washington proceeded to Santa Fé, in New Mexico, while Major Graham continued his march to California.

After the arrival of Colonel Washington at Santa Fé, General Lane and his escort reached there on their way to California.

Being compelled to procure a fresh stock of mules, they were supplied from those taken to Santa Fé by Colonel Washington, and with these animals, together with some picked up on the road, they reached my place, and these were the animals delivered to me by Lieutenant Hawkins.

These mules, which were taken from me and brought to Los Angeles by order of Lieutenant Givens, and for the having of which in my possession, I was for a considerable period incarcerated, were never turned over to the Quartermaster of Major Graham's command. Captain Lane, who was the Quartermaster, told me that, having been informed that some mules had been brought in from my place, he had sent some of his men to examine them, but that they were unable to identify any of them as having belonged to Major Graham's command after the separation of Colonel Washington, and that consequently not one of them was turned over to him.

To the people and electors of Los Angeles County, who might not be cognizant of the circumstances, I made this statement, and to all I pledge myself for its absolute truthfulness.

J. J. WARNER.

Los Angeles, August 18, 1859.

Colonel J. J. Warner,

Dear Sir: In reply to certain inquiries made to me in relation to the charge of your being imprisoned for "stealing" Government mules from the command under Major Graham, I beg leave to say that I was in the employment of Captain E. K. Lane, a Quartermaster of main body, and arrived at your rancho—"Aguas Caliente"—on the 24th of December, 1848; that by an order which I then held from Lieutenant C. J. Coutts, acting commissary of said command, I received from you all the beef which we needed and were shown good camping ground.

Some time after my arrival in Los Angeles the rear command came up in charge of Lieutenant Givens, and you were brought in a prisoner. The question naturally arose, "Why was Warner a prisoner?" and the only reply I could hear was in the following words: "Because he had in his possession Government mules."

How your affair terminated I do not know, as I left Los Angeles early in the spring. I must say I never heard any one assert that you stole mules; nor at that time, nor at any time subsequently, have I had any proof or reason to believe that you did steal the mules in question.

GEO. D. FISHER.⁵

5. It is interesting to note that according to the *Southern Vineyard* of July 22, 1859, George D. Fisher discovered a vein of gold-bearing quartz in the gold mines, 25 miles from the mouth of the San Gabriel Cañon. (This vein was about 12 ft. across surface.) There were from 250 to 300 men at work in what was called the "San Gabriel Gold Diggins." The discovery of George Fisher's vein gave a new impetus to the mines in this region.

In the *Southern Vineyard* of September 2, 1859, Don Abel Stearns, to whom Colonel Warner had previously written, replied as follows:

Los Angeles, Aug. 31, 1859.

J. J. Warner, Esq., L. A.

Dear Sir: In reply to your inquiries with regard to any knowledge and conviction respecting the charges preferred against you as published in the "*Star*" newspaper in this city on 4th inst. I beg to state (as far as my recollection permits at this remote period), as follows:

In the months of January or February, 1849, you were marched into this city as a prisoner in the hands of Lieutenant Givens in charge of the rear trains of Major Graham's command, news of your arrest had reached here before your arrival, and the circumstance was generally condemned by the citizens of your acquaintance, and particularly so—as your wife and children were left alone among Indians and other exposures, and a very considerable distance from recourses of any kind.

On your arrival here the train stopped at the Quartermaster's Office, which at that time was the large room in my present residence, and now used by me as office purposes. You were on foot with two armed soldiers by your side when I first saw and saluted you. I requested that you would obtain permission to see Major Graham and offer bail for your appearance to answer to any charge that might be alleged against you and that I would become bondsman.

You obtained the permission, and you were escorted to Major Graham's office, and returning informed me that bail would be admitted. I proceeded with you immediately to the office of Major Graham, when and where a bond was made out by Stephen C. Foster (the Alcalde of this place), in sum \$1000. I signed the bond and you were at once released. I do not at this time recollect the number of days in the bond for your appearance.

You left here, as you stated to me, for purpose of removing your wife and children to a place of safety.

You returned some two or three days after the limit of the bond had expired, and stated to me that you had been delayed in consequence of a very severe storm.

The next day after your return (if I recollect aright), I was advised by Mr. Foster (Alcalde, and Judge of First Instance), that you were to be examined before his court by Lieutenant Givens, and that being your bondsman, I had better be present.

I heard the charges alleged by Lieutenant Givens and the testimony by two or three witnesses, by whom upon direct examination, it was attempted to prove he had found on your rancho two or more Government mules, ironed with your brand. Upon cross-examination by myself, no proof could be adduced that you had stolen Government property.

At that same time you presented a certificate from a man, or the man himself (whose name I do not recollect), who was with Lieutenant Hawkins, commander of the escort of General Lane, that passed your rancho some time previous and who exchanged with you some broken down Government mules for fresh horses in order to better enable him to pursue his journey to Oregon, for which Territory General Lane had been appointed Governor.

At the conclusion of the examination Mr. Foster decided there was no cause, nor had he jurisdiction, you belonging and residing in the San Diego District, and you were set at liberty.

The decision of the court not pleasing Major Graham, you were immediately arrested by his order, confined in prison, and all communication denied.

Having had an altercation with Major Graham in respect to your first arrest, I concluded that further interference, with what I considered a petty despotism would be prolific of no good. You were confined in prison, I believe, some eight or ten days, and finally released upon a manifest dissatisfaction at your confinement appearing in the community. I have always considered your arrest and imprisonment as illegal and unjust.

With regard to your arrest in San Diego in 1846 by this Lieutenant Gillespie, I can only say that a few days subsequent to the occurrence I arrived there, and in conversation with Captain Fitch, Miguel Pedrena, Captain Snook and José Antonio Estudillo, then living (now dead) and residing in that place, learned a day or two after the taking of San Diego by U. S. forces, that you arrived and were ordered to the presence of Gillespie, then in command of the town.

You were questioned as to whether Governor Pio Pico and Lieutenant Colonel Castro with their forces or any part of them had passed your rancho for Sonora, and in consequence of your laconic answers to his queries, you were placed in the guard house by his orders, and subsequently released at the request of some of the above named gentlemen.

Until lately I had never heard you accused of betraying U. S. troops into ambuscade of the enemy.

Yours respectfully,

ABEL STEARNS.

The fact that Colonel Warner was elected assemblyman from Los Angeles in less than two months after the statements made by his enemies, proves conclusively that he had the confidence of the people and that they recognized these charges as a "frame-up" of his antagonists.

One of his first acts, March 3, 1860, in the legislature, was to try and get a bill passed for the better management of the Indians of this State.

In *The Star* of Los Angeles, 1860, we find this item:

"Passed the Assembly March 17, 1860.

"An act to amend the act to provide for the protection of the Indians was ordered to engrossment."

This authorized the judges of the County to bind Indians out as apprentices for a term of not exceeding 10 years.

Star, April 7, 1860:

"Mr. Warner has introduced a bill to fund the indebtedness of the County."

In the next few years, we find Colonel Warner interested in national questions.

During the Civil War we again find Warner's Ranch in the limelight, as Camp Wright was at first in San Buena Vista, one of the five villages on Warner's Ranch.

Colonel Warner had the perfect confidence of the Union men and helped Colonel James H. Carleton by keeping him informed as to the movements of Showalter and his little band of Texas men who were banded together in

El Monte to get over the border into Texas to help the Confederates.

When too ill to go to the camps, he would write any information he could gain. He especially kept a sharp lookout for Ft. Yuma, and as soon as able, went on horseback, taking notice of the places where the rivers could be forded, and of unguarded spots which he thought might be an "open sesame" to the enemy. Knowing the country so well, and understanding the Indian nature so well, he was of especial help to the officers of the army and was royally treated by them at each of the camps at which he stopped en route. From the beginning of the war to the end of his life Colonel Warner was a strong Republican.⁶

During all this time Colonel Warner was living on his Main Street property in Los Angeles.

Two tall and stately palm trees are still standing in the front of the cottage in which Colonel Warner and his youngest daughter, Amanda Conception and her children, lived happily together from 1887 until his death in April, 1895. These trees at the age of 100 years were taken by Colonel Warner from the front of his Main Street vineyard and planted on what was then University Street, now Thirty-sixth Place. They are all that is left of what was called the Warner Tract, known in the Records as "The Vineyard." Monuments, they stand today to the memory of Colonel Warner. Fearlessly, "They look at God all day, and lift their leafy arms to pray" that since those early pioneers have passed away, at least the woodman may spare these silent tributes to their memory.

If these trees could only talk, how much of interest we might learn. They would tell us how for so many years they stood as sentinels on Main Street about where the Burbank Theater now stands. A semi-circular driveway led to the story and a half white plastered adobe dwelling, which was situated some 70 to 75 feet back from the street. They would tell that four of Colonel Warner's children, Isabelle, Mary Ann, Andres and John B., were born on Warner's ranch in San Diego County and came here as little children, and played around the courtyard and in the orchard. They would tell that the youngest daughter, Amanda Conception, was born here, and how when she was but four years of age, the young mother was taken

6. This information is taken from Rebellion Records, loaned by Mr. Arthur Ellis.



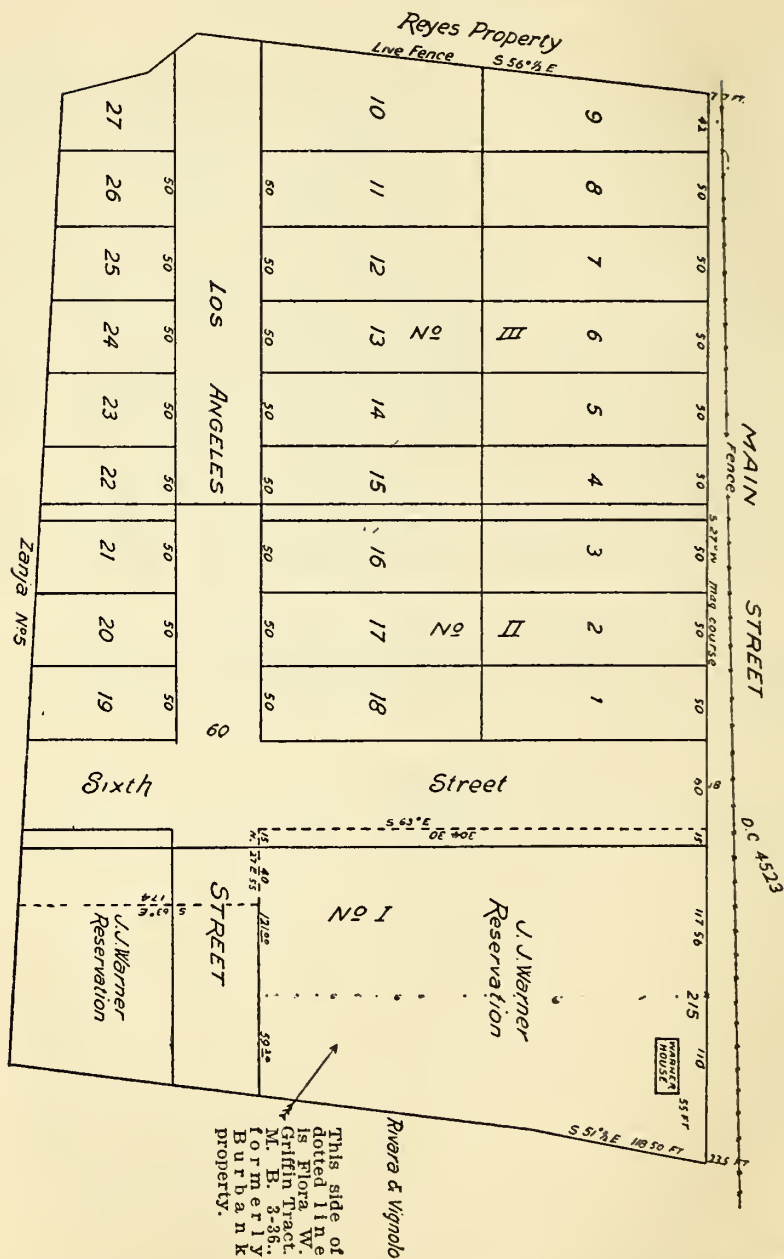
The Two Warner Palms

from her children; how Amanda Conception grew to womanhood under the zealous care of Fanny, the Indian woman, and how when her five children came, they too played around the adobe house, chased the butterflies and bees down in the vineyard, breathed the sweet scent of the orange and jasmine flowers, played among the purple clematis, and learned their first lessons from nature; watched the mocking bird rear its young and the orioles strip the palm leaves of their fiber to make their little pocket cradles and hang them in the orange trees where now the great Pacific Electric cars wind in and out of the city over a perfect network of steel; how they heard the music of the *zanja* numbers 5 and 9 softly murmuring as they flowed along the eastern and northwestern sides of the vineyard; how they watched the old Moorish wheel as it stretched its long wooden arms down and dipped its tin cans into the stream, and deposited the water in the home-made reservoirs, to irrigate the vineyard on the lowlands, and the orchard and corn field on the higher ground along what are now Main and Sixth streets.

They could tell of seeing the old stage coaches of Banning, Reynolds, or Tomlinson, coming down Main Street as they brought the weary passengers from the harbor at Wilmington after their tiresome ten-hour trip over the dusty, unpaved roads.

In the field, the brown-skinned Indian boys with red bandanas wound around their heads, worked in the vineyards and orchards. Two of these boys were purchased by Colonel Warner in early days for two bushels of corn; and Fannie, the Indian nurse, who lived in Colonel Warner's family for over 40 years, was purchased from a Yuma chief, Colonel Warner paying nine bushels of corn for her and her sister. She faithfully nursed all the children and grand-children and later, when Colonel Warner died, she went to live as housekeeper for Mr. Cruz who had married the oldest daughter, Isabelle, she having died in 1873. After Mr. Cruz died, Fannie inherited from them Weid Cañon, and at her death, it went to Amanda Conception Warner. This is near the Scenic Mulholland Drive today. It has long since passed out of the hands of the family.

We are indebted to Mr. Allin L. Rhodes, Manager of the California Title Insurance Company, for a copy of the map of Warner's Reservation, or Tract, with other data, and also through him, to Mr. J. B. Webber of the Title Insurance and Trust Company, for allowing us to copy from



their old records in regard to this property. Some of these records are translated from the old Spanish Archives.

The first citation we have of the place is that in the minutes of the Ayuntamiento of the Pueblo of Los Angeles in the Municipal Records, from Spanish Archives, Vol. 2, page 117, Official Translation Vol. 2, page 83, in their session of June 3rd, 1835, when Don Domingo Romero solicits a piece of land contiguous to his vineyard, citing that the same has been abandoned for some years. The corporation granted this by majority vote, although the President opposed it as he desired it referred to a committee.

Later, September 9th, 1836, Domingo Romero appeared before Manuel Requena, First Constitutional Alcalde of the Jurisdiction, and his assisting witnesses, and got permission to sell this property with adobe dwelling, free and unencumbered for \$800.00 half in silver and half in merchandise, to Antonio Maria Osio. The usual Spanish Warranty was given. This was not recorded until December 15th, 1858, at request of Mr. Clayton, in Book 4, Page 291 of Deed.

Again on the 28th day of September, 1839, before David Spence, Judge of First Instance of Port of Monterey, Antonio Maria Osio exchanges this property for a cattle ranch belonging to José Esnuc (Eng. Snook) known as La Punta de Los Reyes, situated between the Port of San Francisco and Bodega, with all land mentioned in the title and also eighty head of horned cattle which pasture thereon.

In Spanish Archives, Volume 4, page 195, Official Translation, Vol. 4, page 138, we read:

José Esnuc (Eng. Snook), a resident of the Presidio of San Diego, respectfully appears before your Honorable Town Council and says:

I own an orchard in this town, situated between that of Augustin Machado and the late Jacinto Reyes, which I feel compelled to protect by a wall so that it cannot be damaged by the animals which do so much injury to the vineyards of this city, and I therefore give notice to your Honorable Body that I intend to erect a wall in place of the fence which now encloses said orchard.

In view of the foregoing, I ask your Honorable Body to appoint a committee, should you deem it proper, for the purpose of looking over the ground where I intend to build the wall, and I hope, in justice to me, you will grant my request, and also that you will pardon my using plain paper because no stamped paper could be obtained.

Los Angeles, July 15th, 1847.

José Francisco Snook.

July 17th, 1847, this was turned over to the Police Committee with instructions to summon the adjacent own-

ers, demand production of the title papers, and to see whether any street lots or merely the fence of the orchard was involved.

José Salazar, President.

Ygnacio Coronel, Secretary.

Spanish Archives, Vol. 4, page 196. Official Translation, Vol. 4, page 140.
Honorable Town Council:

Police Committee examined the lands referred to in these proceedings and on measuring it, in presence of adjoining owners, found its frontage to be 210 varas and its depth 51 varas, which comes to a line with the poplar tree standing within the vineyard, and your Committee, not having met with any obstacles, leaves the matter in the hands of your Honorable Body for deliberation and suitable action. This concludes the report.

Los Angeles, July 29th, 1847.

José Vincente Guerrera

Julian Chavez,

Spanish Archives, Vol. 4, page 488. Official Translation, Vol. 4, page 399.
Session of July 31st, 1847.

In the matter of Petition of José Snook the following report was received. Police Committee formally submits the session of the Honorable Body, Page 17, Book 96 of Records.

Ayuntamienta of Los Angeles

to

José Snook

Concession—Dated July 31, 1847. Recorded December 15, 1858, at 2:30 P. M. Requests of Mr. Clayton, Book 4, page 293 of Deeds.

José Salazar, First Alcalde and Judge of First Instance and President of the 111 Ayuntamienta of the City of Los Angeles.

For that Don José Snook⁷ has asked, for his benefit and that of his family, a lot which lies between that of Don Augustin Machado and the Senor Jacinto Reyes, the 111 Ayuntamienta, the proper investigation previously (made) has come by a decree of today to concede it to him, but under the following conditions:

First—Within one year, it must be enclosed and with building and inhabited house.

Second—When he makes the house and courtyard he shall observe the direct line of the street.

Third—He shall not prejudice (Los del paso del comun) the transit of the community.

Fourth—The dimensions of the lot are 210 veras front and 51 in depth until it aligns with a sycamore, and if he shall fail in these conditions, he shall lose the right, and it shall be denounced by another.

Wherefore and in virtue of what has been recorded, I direct that this instrument be issued, which shall serve as title of ownership.

Given in Los Angeles City, July 31, 1847. There is no stamped paper.
Fees \$52.50.

(Signed) José Salazar, President.

Ygnacio Coronel, Secretary.

7. José Snook married Antonia Maria Alvarado and died at San Diego in 1848, leaving his widow and no issue. He left a will by which he gave his vineyard in Los Angeles to his widow. The widow married one Henry Clayton and died in 1863, intestate without issue. Her estate was administered in San Diego. Since Col. Warner moved his family on this some time in 1855, he must have rented this of Mrs. Clayton before he had even a verbal lease which the records say he had in 1861 or 1862.

The following information in regard to Warner's property at Sixth and Main Streets was taken from Book 96 of Records:

June 19, 1865, the property was deeded to Col. Warner by the administrator of the estate of Antonia Maria de Clayton for \$700.00. There were 6 acres, more or less. In July of the same year Col. Warner deeded it to McCrellish and Woodward of San Francisco, and then August 5, 1867 they deeded it back to three of Col. Warner's children, Mary Ann, John B. and Conception Amanda Warner. Sometime in the year, December 19, 1862, after his wife's death and the property was in course of probate, Henry Clayton had mortgaged the property for \$612.00 to a Mr. J. C. Welsh, the interest to be 2% per month, for six months. He brought suit for this against the property in 1869, but Col. Warner won the suit, pleading the statute of limitation, being in possession under deed from the Clayton estate. On June 29, 1874, Conception Amanda, for filial affection, deeded her interest in the property to her father to have during his natural life and at his death to revert to her or her heirs.

In 1878 at the request of the owners of the vineyard, the court ordered Geo. Hansen to survey the property and re-divide it, as it had been parcelled out in three divisions in this year, and as the City was expecting to extend 6th Street through from Main very soon it would leave one portion with a strip of 15 feet by 304.3 feet. This would leave lot No. 2 with a useless strip, and Lot No. 1 cut off from 6th Street. Mr. Hansen re-divided the property, giving the strip 15x304.3 feet to Lot No. 1, belonging to Mary Ann Warner, and equalizing the lots by giving a strip at the rear of Lot No. 1, (Mary Ann's lot) being the part north of 6th Street on which the Kerckhoff Building and Burbank Theatre now stand, to Lot No. 2, (J. J. Warner and C. A. W. Rubio). On December 14, 1876 a mortgage of \$4,500 at 1½% per month was made on two-thirds of the property, to Robt. Moss of Mississippi, through J. M. Greaves, his attorney. This was foreclosed on December 31, 1878, and on October 30, 1879 Geo. Kerckhoff purchased Parcels 2 and 3, being the part South of 6th Street, of Robt. Moss, through J. M. Greaves for \$2,600.00. Greaves obtained two tax deeds for \$235.45 and sold his interest to Geo. Kerckhoff, October 30, 1879 for \$500.00. Kerckhoff quieted title to Lot or Parcel 1 based on said deeds, obtaining a decree against Mary Ann Warner and J. J. Warner, January 24, 1880. January 29, 1880, Mr. Kerckhoff deeded the north

part of the lot, about 115 feet, with dwelling to Mrs. Conception Amada W. de Rubio, at the request of Col. Warner, for her to have for life and at her death to go to her heirs. This was sold for \$24,000 through litigation to Dr. David Burbank, a dentist, July 27, 1887.

As late as November 1892, Messrs. Geo. and Wm. G. Kerckhoff, et al, found that there was a cloud on the title due to the fact that José Snook, although he had lived up to all conditions cited in the concession to him of the property, had not later appeared before the Ayuntamiento for a confirmation of said concession, after his having lived up to all agreements. However, with the signature of the mayor, and after clearing it through court proceeding, the property was finally quited in the names of William G., son of Geo. Kerckhoff, et al., in 1901 by compromise for \$6,000.00.

In 1887 Col. Warner moved to his University house and lived there happily with his daughter and surrounded by his grandchildren until his death (on April 11, 1895) at the age of 88.

We can say with the poets:

Life is more than a quick round of blood—
It is a great spirit and a busy heart.

We live in deeds, not years; in thoughts, not breaths,
In feelings, not in figures on the dial.

“It is men, noble, high-minded men, governed by principle, controlled by patriotism, by high resolves, and a lofty, unsullied ambition which constitute a prosperous commonwealth.”

The descendants of Col. J. J. Warner and his wife, Anita Gale Warner, are as follows:

Mary Ann, born Nov. 19, 1839, in L. A. City, died 1918.

Andrew Fernando, born on Warner's Ranch, San Diego County, 1846, married Chona Alaniz and died 1880, leaving one child, a daughter named Artemiza; Isabelle born 1848 on Warner's Ranch, married Jesus Cruz at Los Angeles, and died 1873, leaving one child, a daughter named Jane Artemiza, who married S. Mendoza, 1889, and died April 27, 1891, childless.

Juan Bautista, born on Warner's Ranch, 1851, married Annie Cross in San Francisco, Calif., and had two sons and one daughter, namely: John Francis and Oscar, living in L. A., and Maybelle (deceased).

Amanda Conception,⁸ born Sept. 13, 1855, in L. A., married in 1874. She died in 1908 in L. A., leaving two sons and three daughters, namely: Albert and Reginald, living in this city; Dorothy (Mrs. William Vick), living in Santa Barbara, and Maybelle (Mrs. Geo. Evans), living in this city; Margaret (Mrs. Frederick Clarke), living in Glendale.⁹

8. Also called Amada.

9. Warner Family Tree, courtesy of Albert Warner.



The plate taken in 1887 is of the cottage, bought 1887, where Col. Warner resided with his daughter Amanda Conception and family, from 1887 to his death in 1895. It was then on University Street, but now called 36th Place. The palm trees were in front of this place. The photo was taken April 13, 1925. The number of the house where the palms are is 1598 W. 36th Place.

Figures in plate of cottage: Col. J. J. Warner, seated, Amanda Conception, standing by carriage; Joseph Warner, a nephew, standing; Mrs. Joseph Warner, niece by marriage, standing on porch, (visiting from Glousterbury, Conn.), Reginald, grandson, on steps; Francis, grandson, on extreme right; Maybelle, Dorothy and Margaret, grand-daughters, standing.

A SKETCH OF THE LIFE OF R. B. TAYLOR, INCLUDING
STORY OF THE DEVELOPMENT OF IDA GROVE,
IOWA; WAYNE, NEBRASKA; THE FOUNDING OF
CORONA, RIVERSIDE COUNTY, CALIFORNIA,
AND NOTES ON A TRIP TO
SOUTH AMERICA

By Frank Rolfe

A history of South Riverside, now called Corona, one of the successful fruit colonies and prosperous communities of Riverside County, California, would be incomplete without a sketch of the life of Mr. R. B. Taylor, founder and father of the enterprise which resulted in the establishment of this beautiful town. He is the only one of the original corporation, the South Riverside Land & Water Company, now living.

Robert B. Taylor was born October 26th, 1849, in Wayne County, Ohio, at Millbrook. He is a descendant of a colonial family, his great grandfather fighting for seven years on the colonial side in the Revolutionary War and his grandfather serving in both the War of 1812 and the Mexican War.

Mr. Taylor was educated at a college located in Granville, Licking County, Ohio. In 1866 his father removed to Columbia City, Whitley County, Indiana, then a town of some 1200 population. It was a large shipping point, however, for walnut and other hardwood lumber; it was also especially noted for its sixteen saloons, where most of its business was transacted, and for its almost daily street fights—a source of amusement for some people.

After leaving school in 1867 Mr. Taylor taught school until 1868, when he formed a partnership with Alex McHugh, engaging in the grocery business, shipping grain and other products of the country, and also carrying on a flouring mill and a planing mill. His father being then a director in the Ell River railroad, which was under construction, was able to secure contracts for the firm of Taylor & McHugh to supply its camps with food and other supplies.

October 24th, 1873, Mr. Taylor was married to Miss Emma S. Mason. Three children were born to them, James D.—better known as Verne—who served nineteen

years with the U. S. Navy. At the age of 44 he was killed in an accident. He is buried at Corona. Another son, Harry G., who died at the age of 21, is also buried at Corona. One daughter, Emma J., married Clark E. Sanger, of Corona. Their daughter, Lucille C., is the pride of her grandparents, she and her parents now residing with the R. B. Taylor family in Los Angeles.

Mr. and Mrs. Taylor have now celebrated their fiftieth wedding anniversary and, from appearances, may yet celebrate many more wedding anniversaries.

In 1878 Mr. Taylor decided to make a change, and with his own family and his father and family removed to the new town of Ida Grove, Ida County, Iowa. The nearest railroad station was thirty-two miles distant; but a survey for a branch road had been made through the site of the new town and the road was then under construction, and was completed within about a year. Mr. R. B. Taylor, in partnership with a Mr. Weaver, opened a general store in Ida Grove. The entire county at this period had a population of about 800.

In the spring of 1880, Mr. McHugh moved to Ida Grove, and the firm of Taylor & McHugh was revived. They opened a general store; built the first grain elevators of the town and bought farm lands and improved them. The completion of the railroad caused an influx of people and both town and county increased very rapidly in population.

In 1882 Mr. Taylor learned through a friend, A. S. Garretson, cashier of the Sioux National Bank, of Sioux City, Iowa, that a new railroad was about to be built on the Nebraska side of the Missouri river, which would pass through Wayne county to Norfolk, Neb., and that a new townsite to be called Wayne was being laid out about six miles west of the county seat, Laport. At this time the settlement of the county—some 225 population—was located in and about Laport.

In January, 1882, Mr. Taylor drove a team to Sioux City, crossed the river and continued on to Laport and beyond to the new townsite. After looking over the country he decided that the rich prairies about Wayne must make it a good farming section. He returned to Ida Grove and explained the inducements of this new country to his father and partner. Mr. McHugh, however, decided to remain in Ida Grove. Mr. James Taylor, the father, who had recently lost his wife, decided to join his son, and from that

time until his death, in Corona, he remained a member of his son's family.

Returning to Wayne, Mr. R. B. Taylor secured the names and addresses of the land-owners in and about Wayne townsite and succeeded in buying about sixteen hundred acres at an average price of about \$3.00 per acre. In March he sent teams with lumber and hardware ahead to the location and followed himself with a good team, spring wagon, two carpenters and a camping outfit and supplies. He arrived at the townsite in a big blizzard, put up a tent for the horses, spread a canvas over the wagons, under which he and his men slept and ate until a building was completed. This was the first house built in Wayne, Nebraska.

At this point in the interview Mr. Taylor related a little incident occurring while he was erecting his office. Late one evening while his carpenters were on the roof and he himself on the ground handing material to the men, two men in a buggy drove up, stopped and inquired, "Who is doing this building?"

"Oh, some fellow from the east," Mr. Taylor replied.

They then wanted to know for what it was intended. When told that the party expected to go into the real estate business and also to start a bank, one of them remarked that the builder was either a big fool, or else he had a lot of nerve to start out in any business where there was only the prospect of a railroad and not another building in sight. At this Mr. Taylor left them to prepare supper for his carpenters, as it was quitting time.

As the men came down from the roof, the newcomers asked who was the owner of the building. Not knowing of the previous conversation, they answered, "That fellow over there, cooking supper."

The visitors came over, then, to apologize for their remarks. Mr. Taylor told them that what they had said might prove true, and insisted that they should stay in his camp until morning, as a big storm was showing in the northwest. During the evening one of the strangers asked Mr. Taylor if he would sell 160 acres of his Wayne lands. When Mr. Taylor told him that he might have 160 acres about a mile from the townsite for \$7.50 an acre, the party answered at once, "I'll take it. Send the deed to my bank at Omaha; I want to buy something from a man who has the nerve to start a town in this lonely spot."

Mr. Taylor advised the new purchaser to hold on to the

land for four years and he would probably be able to sell for \$100.00 an acre. The buyer agreed and before the expiration of the four years refused the price named—an example of the foresight which has been one of Mr. Taylor's best assets.

Mr. Harry Woodall, now living in Los Angeles and also well known to many residents of Corona, was employed to take charge of the office at Wayne, while Mr. Taylor with a camping and surveying outfit and accompanied by a teamster, spent most of the summer of 1882 selecting the best lands, getting from the tax collector the names and addresses of the owners. During the following fall and winter he bought up these lands—as the county records and the books of Mr. Woodall will show—to the amount of 17,000 acres of choice land, secured at prices ranging from \$1.25 to \$5.00 per acre, or an average of about \$3.00 per acre.

In the fall of 1883 Mr. Taylor completed a fine residence and moved his family and his father to Wayne. In the summer of 1884 he built a two-story brick block, moving his bank into the corner store and renting the balance for stores and offices.

But the westward movement again caught the Taylors in the summer of 1885. It was decided that the father should go on to California and look over Los Angeles and the country about it. After a few months spent in Southern California, the elder Taylor wrote his son that, in his opinion, Los Angeles and the section about it promised a wonderful future.

Acting upon this advice, Mr. R. B. Taylor and family arrived in Los Angeles January 5th, 1886, and went to Anaheim, where his father had decided to locate. The latter now advised his son to buy a home and settle down permanently, since the Pacific ocean was only a few miles west and there was not much chance to move further west. R. B. Taylor at once bought what was known as the Couen Ranch, 105 acres, with a brick house on it. Most of this land has since been subdivided and included in the city of Anaheim.

In February Mr. Taylor met Adolph Rimpau and William Witte, who were holding an option on 5,050 acres of land secured from Vicente Yorba.

The option called for the payment of \$40,000 within 90 days. In company with the option holders, Mr. Taylor visited the mesa lying near what is now Prado, Riverside

County, formerly called Rincon. He also inspected water-bearing lands in the Temescal canyon and then made an agreement with Rimpau and Witte to pay them \$10,000 for their Yorba option, provided they could secure options on the mesa land and on certain water-bearing lands. As a result, Mr. Taylor secured options as follows:

Vicente Yorba, 5,050 acres, including bonus.....	\$50,000
Cota family, 960 acres, at \$5.00.....	48,000
Pulaski & Goodwin, 5,500 acres, at \$10.00.....	55,000

This made 11,510 acres of mesa land to cost \$109,800.

In Temescal Valley the following options were secured:

Pat Harrington, 160 acres.....	\$30,000
Gregory canyon, 80 acres.....	1,500
Barney Lee, 160 acres, including lake.....	3,000
Ambrose Compton, 160 acres.....	3,000

Coldwater canyon, the Rolfe, Riley, and other ranches, were not secured until later and were not included in the first purchases. Corona now is located upon the mesa lands secured under these options and supplied with water from these and other water-bearing lands.

Mr. Taylor immediately returned to Sioux City and laid the proposition of founding a new colony which should be modeled on other successful settlements in California before Mr. A. S. Garretson, cashier of the Sioux National Bank, who called in for conference Mr. George L. Joy, president of a \$16,000,000 Trust Company—the largest trust company in the state. A telegram was also sent to ex-Governor Samuel Merrill, of Des Moines, asking him to join them in Sioux City. Governor Merrill had recently been in Los Angeles but knew nothing about the lands under consideration. After spending but fifteen days in Sioux City, Mr. Taylor was assured the sum of \$200,000 with which to take up the options and start work, with the promise of more money if needed.

Returning to California, he organized, under the laws of this state, the South Riverside Land & Water Company, with Governor Merrill, A. S. Garretson, George L. Joy and R. B. Taylor as directors. To comply with the law, requiring a certain number of directors, the name of Adolph Rimpau was added to this list. The options were taken up and the lands transferred to the new company and by the latter part of May Mr. Taylor, acting as manager, with practically unlimited power, was ready to begin active work.

William Sweeney was employed as chief engineer of

the water lines and H. Clay Kellogg as chief engineer for the subdivision of the mesa lands, with Tom Wade in charge of the team work for plowing and grading streets. In order that Mr. Taylor might oversee the work at all points, he bought a span of runaway ponies and a spring wagon, putting them under the charge of Charley Wall, then but a boy, of whom he says, "A better and more trustworthy boy never lived."

Before the colony lands could be placed on sale, it appeared that some arrangement must be made to give each purchaser an equitable interest in the water; this was accomplished at a later date by having all water lands, pipe lines, etc., transferred by the land company to the water company—two organizations having been made—in exchange for capital stock, which was then issued to purchasers of colony lands.

In the late summer of 1886 the land company donated a block at the southwest corner of Main and 6th Streets to A. S. Garretson for a site for a hotel. He built and furnished, at a cost of \$15,000, the "Temescal," which for years was the leading hotel of the town. Mr. Garretson's father-in-law, O. A. Smith, was put in charge and operated this hotel for many years.

Upon completion of the hotel, Mr. Taylor brought his family and his father to stay there until their own home, then under construction, was ready for them. When the house was finished, arrangements were made to occupy it upon a Thursday morning. But when the morning arrived, no house was to be seen—a fire had destroyed the building, which had cost \$3,300, during the night. It was a complete loss. The family was compelled to remain at the hotel until another house was built.

Messrs. Taylor, Joy and Merrill built the first brick block of the town at the northwest corner of Main and 6th Streets. The corner room was occupied by Mr. Taylor, who conducted the Citizen's Bank, which was duly incorporated, with Mr. Taylor as president.

In 1888, as Mr. Taylor remembers, W. H. Jamison and N. C. Hudson located in Corona. With their associates they bought of the land company 2,000 acres of the Temescal wash and laid out a town site called Auburndale, building a hotel, offices, and other structures. This enterprise proved a failure, however, and the land was turned back to the company.

Later, Mr. Taylor obtained an option on a run-down, narrow-gauge railroad, operating between San Bernardino and Colton. He then resigned as manager of the South Riverside interests and Mr. Jamison filled the position he vacated. Mr. Taylor organized the Southern California Motor Railway Company, rebuilt the road to standard gauge and extended it to Riverside. It was later sold to the Southern Pacific Company, which still owns and operates it.

With regard to the water supply of Corona, Mr. Taylor worked on the theory that California streams run upside down, and in order to secure their waters it is necessary to do down to bed-rock and bring the water to the surface by means of tunnels and pumps: on that theory he started the tunnel on the Serrano Ranch, but resigned before it was completed. He is now of the opinion that had this tunnel been finished as planned, Corona would have secured an abundance of fine water at a much less cost than that required by the present system.

The founder and first manager built pipe-line No. 1, the first water supply of the new settlement, at a cost of \$45,000. The long years of service rendered by this line show the care and efficiency of its builder. Mr. Taylor says all important business affairs which he undertook were discussed with his father before anything was done, and the son attributes much of his success to the good council and judgment of the elder Taylor.

The first church of the settlement was the First Christian, organized by Mr. James Taylor, Charley Figgins, Miss Hand (Auntie), Mrs. Bear, Dr. McCarty, Miss Macneil, and a few others. The land company donated the lots and R. B. Taylor moved a building onto them, put it in shape and donated it. He and his wife united with this church and still retain membership in it.

In August, 1897, this town builder removed with his family to Los Angeles. In December of the same year he decided to investigate the gold fields of South America. He sailed from Mobile, Alabama, on a small steamer which came near going down in a big storm on the Gulf of Mexico. Leaving the steamer at Port Columbia, he traveled by rail and water into the interior of Columbia until he reached Caracolio. There his two companions turned back—they had had enough. Mr. Taylor went on by mule to Medellin. Here he met an Englishman, Mr. Oliver Pike, who had married a Colombian and established a home. As he knew

no Spanish and as no English was spoken in the country, the American remained a month with Mr. Pike, learning Spanish enough to make himself understood. He then traveled for many days by mule, finally reaching Carocolio again. During his trip this explorer had secured options on some 60,000 acres of good mining and timber lands.

In 1901 Mr. Taylor organized a company and started back to Colombia with machinery and equipment to open up mines. However, a civil war had broken out and the country was infested by bands of robbers who were not connected with either of the warring factions. Mr. Taylor succeeded in getting his machinery, by pack mules, to his mines; but at the end of the war, three years later, he found the country still in bad condition, over-run by robber bands who had no regard for life or property, so he was compelled to abandon the project for the time being and return home.

It is very interesting to hear Mr. Taylor talk of Colombia, its people and their manners and customs; the variety of timber and vegetation found there; the wild animals and snakes, as well as many other features of that section. The traveler, however, seems to think all of this of no interest and hesitates to speak of his experiences.

The dates in this narrative referring to the history of South Riverside—now Corona—are given largely from memory; but at the time of the relation Mr. Taylor had the facts clearly in mind and they are approximately correct.

The assessed valuation of the city of Corona is now over \$5,600,000; by the 1920 Federal Census, its population was over 4,000. A beautiful and prosperous settlement and city has grown up in less than forty years, from the seed sown by that energetic pioneer, R. B. Taylor.

HISTORY OF THE CALIFORNIA STATE DIVISION CONTROVERSY

By Rockwell D. Hunt

Note.—This paper is a chapter from the author's forthcoming "History of California—American Period," which is to be a volume of the larger work "California and Californians," and is here printed with the courteous permission of the Lewis Publishing Company of Chicago, Illinois.

From the beginning of its existence as a commonwealth California has experienced recurring periods of restlessness or active agitation on the subject of dividing the State. Indeed, the antagonism between Northern and Southern California, in certain phases at least, antedates by many years the period of the American conquest.

First of all, there came the separation into Alta California and Baja California, the spiritual conquest of the former being entrusted to the Franciscans, and of the latter to the Dominicans. Nevertheless, during virtually the entire period of the Spanish régime there was but one territory, though with plural name—Las Californias—and the seat of administration was maintained with fair consistency at Monterey.

One of the early Mexican governors (Echeandia) took up his official residence at San Diego, thereby deeply offending the politicians of Monterey. The demand that the governor should reside at Monterey gave plausibility to the claims of Zamorano, who promptly announced himself as governor. After certain war-like gestures, the issue was compromised by a division of California into two territories—Echeandia's dominions extended northward to San Gabriel, and Zamorano's claims reached southward to San Fernando. This arrangement was of slight duration, the territories being re-united by Figueroa and Monterey being restored as capital.

In 1835 the Mexican Congress decreed that Los Angeles should be raised to the dignity of a city and made capital of the two Californias. The Alvarado Revolution of 1836 quickly followed, however, resulting for a time in "The Free State of Alta California." San Diego joined Los Angeles in opposing the plan to make Monterey capital; and thus again were North and South arrayed against each other. It was not long, however, before Alvarado gained complete ascendancy, winning official recognition as Mexi-

can governor, and re-establishing official residence at Monterey.

Let it suffice here to add that the feud between the *arribanos* and the *abajenos* (uppers and lowers) was only finally forgotten in the presence of the common enemy, *los Americanos*. In the words of Mr. J. M. Guinn:

For twenty years the internecine strife between the North and the South had existed. Three times the territory had been rent asunder by the warring factions. For ten years Los Angeles had struggled to become the capital. It had won, but the victory was dearly bought, and it was but half a victory at best. The archives remained at Monterey. The standing army of the territory, if it could be called an army, was stationed there and there Castro, the military commandante, resided.

We now come to the American period, with which this paper is primarily concerned. That the state division controversy has from the beginning been worthy of more than merely incidental mention in any history of California is well illustrated by a statement made in 1880 by John G. Downey, who served as Governor from 1860 to 1862:

From the morning of our existence as a commonwealth, the southern counties of this state have been uneasy and restless under the lash of unequal taxation and the unequal distribution of the benefits derivable therefrom.

The matter occupied the deep consideration of the members of the first constitutional convention at Monterey, in 1849, and the members from the southern counties only yielded a reluctant assent to the formation of a state government when they obtained a declaration that taxation should be "equal and uniform throughout the state."

How unfairly this guarantee has been carried out will be made manifest by the persistent attempts to free ourselves from the unnatural geographical and economical relations with the central and northern portions of the state.

Gwin's plan in the Constitutional Convention of 1849 to make the crest of the Rocky Mountains the eastern boundary, thus forming such a large state as to bring about subsequent division by an east-and-west line, has been discussed elsewhere.

While the national slavery issue undoubtedly had a bearing upon some of the early efforts to bring about a division of California, the dominant factor was usually some phase of local sectionalism, arising out of conditions peculiar to the areas involved. Before the gold discovery, California was almost exclusively pastoral and agricultural, and the preponderance of population was to be found in the south. The on-coming of the gold hunters suddenly shifted the centers of population to the north, where mining became the dominant interest. The Southern Californians, mostly Hispano-Californians, had little liking for the new conditions, preferring to be left to the enjoyment of their

wide-spreading estates. There was a natural divergence, therefore, between the two sections, "one an old, Mexican, sparsely settled, land-owning community, the other a new and numerous mining people, who leased their lands."

In the Constitutional Convention of 1849 the southern delegation was completely overshadowed by the north. Delegates from the old settled portions were opposed to the immediate formation of a State government. "They were afraid of the newcomers," wrote Mr. Gwin, "who formed a vast majority of the voting population." Carrillo, a prominent native Californian, perceiving that a great majority appeared to favor a State government, proposed—that the country should be divided by running a line east from San Luis Obispo, so that all north of that line might have a State Government, and all south thereof a Territorial Government.

The six delegates present from the extreme south voted against the resolution to form a state government, which nevertheless was carried by a large majority.

The reason for the southern opposition to early statehood was brought out in the debates, and has been thus stated by Doctor William H. Ellison:

The native land-holding class felt that the representation should be on a basis that would take into consideration the permanence of their interests and the transitoriness of those of the population in the San Joaquin and Sacramento Valleys. They saw the difference between a settled, land-holding class and a transitory population, and believed that injustice could easily be done the permanent class. The issue was even clearer when the subject of taxation was being discussed. It was revealed by this discussion that the people in the south had feared from the first that a state government would bear heavily upon them, and that they doubtless wanted a territorial government, under which taxation would not be a burden.

In 1850 the Mormons from the State of Deseret proposed a new constitutional convention which should provide for the temporary inclusion of the Salt Lake region, with the plan for subsequent division. Scant consideration was given to the Mormon delegation, and the request was promptly tabled.

Notwithstanding the southern element had been completely outvoted in the Constitutional Convention, separate conventions and meetings were held in 1850 and 1851 at Los Angeles, Santa Barbara, and San Diego. On September 12, 1851, a special meeting of the citizens of Los Angeles County was held in the interest of separate organization for southern California. A representative committee was appointed to draft an address in relation to a proposed convention, "with a view of effecting the speedy

formation of a Territorial Government for the southern counties of California." Excerpts from this address will clearly reveal the widely-prevalent feeling of dissatisfaction:

It is our aim to set forth in detail the grounds of this momentous enterprise in which the southern counties are engaged, with an entire unanimity. Such a movement cannot be mistaken for the temporary ebullition of party excitement, that may be counteracted and checked, by another party antagonism; nor need it be supposed that the enthusiasm everywhere displayed in its behalf is to die away with its first efforts. *No!* The manifestations of the Public Will, already made, are truly the voice of one people, feeling deeply in their inmost heart a common evil that is attributable to one sole cause and has no other remedy than the one now sought and which must continue to be prayed and struggled for by all peaceable and constitutional means, until Justice shall triumph in its glorious accomplishment. There is little to please in the reflection, nevertheless it is the plain truth, that whatever of good the experiment of a State government may have otherwise led to in California, for us, the southern counties, it has proved only a splendid failure. The bitter fruits of it no county has felt more keenly than Los Angeles. With all her immense and varied and natural resources, her political, social and pecuniary condition at this moment is deplorable in the extreme; her industries paralyzed under the insupportable burden of taxation; her port almost forsaken by commerce; her surplus products of no value on account of the enormous price of freights; her capital flying to other claims; a sense of the utter insecurity of property pervading all classes and everything tending to fasten upon her, in the guise of legislation, a state of actual oppression which will soon exhaust the energies of a population that deserves a better fate.

As with Los Angeles, so it is in various degrees with our sister counties. . . . A prey to incessant Indian depredations from without and destitute of internal protection for our lives and property, under laws applicable to our wants, and the character of the population and withal a continued and ruinous taxation impending over us, our future is gloomy indeed as a community if we shall fail in this appeal to our brethren of the North, for the only redress consonant with our national interests—a *separation*, friendly and peaceful, but still complete, leaving the North and South respectively to fulfill their grand destinies under systems of laws suited to each. A melancholy experience, now of sufficient duration, coming home to every man in the South, has produced the wide-spread conviction in which the present movement originated. We claim for it the purest motives which Patriotism and Philanthropy dictates.

The time has arrived for prompt, firm and decisive action. Let each friend of the cause faithfully do his duty and we promise a fortunate consummation of our dearest wishes. True to ourselves, we shall have no reason to complain of the Legislature of California, nor the Congress of the United States.

We are respectfully your Obedient Servants.

(Signed) Augustin Olvera	Lewis Grainger
Pio Pico	John O. Wheeler
Benj. Hayes	José Antonio Carrillo
J. Lancaster Brent	(Committee)

In the meantime it should be noted that there were early attempts in Congress to divide California. A chief proponent of the project was Senator Foote, who during the struggle for California's admission favored admission of only that portion lying north of $36^{\circ} 30'$. Persistent efforts were put forth and numerous proposals were made looking to division; but all failed to carry, and the bill admitting the new State with boundaries as originally proposed finally won congressional approval. It is obvious that the movement in Congress for division was part and parcel of the dominant national issue—the slavery question.

During the first decade of statehood the question of division came up in some form in nearly every session of the Legislature. Specific reasons for the creation of a separate state or states included the following: (1) the very extent of territory, with dissimilarity of resources, was deemed too great for a single state; (2) the former inhabitants of California, now largely confined to the south, were not sufficiently acquainted with American institutions; (3) the expenses of the state government necessarily bore heavily upon landholders, who in some cases were threatened with ruin, while no commensurate benefits accrued to them; (4) the stable—though relatively sparse—population of the south was virtually under the political domination of the more transient population of the north; (5) the distance from the southern centers to the northern capital imposed a heavy burden on the south and greatly discommoded the people. In addition to these local considerations, there was always, running in the minds of certain pro-slavery men, of whom Gwin was the most prominent, the hope that a new state on the Pacific might be made a field for slavery extension, or bring about the accession of two Southern senators to restore the balance of power in national political circles.

Few would now deny that the southern part of the State really suffered injustice during the first years of statehood. A number of persons migrated to Mexico in order to escape the oppressive taxation of the State government. The feeling was widespread that in matters of current legislation the wishes of the southerners were not consulted and their interests were largely ignored. They complained that they were no better treated than step-children—"more like a conquered province than as a free and independent state."

After a series of local meetings, each looking toward

a general convention, involving impracticable considerations and misunderstandings, which remind one of the provisional government meetings preceding the Monterey Convention of 1849, a convention finally met at Santa Barbara on October 20, 1851, and continued in session four days. Practically all of the delegates were from Los Angeles, San Diego, and Santa Barbara; many were of Spanish origin, two had married Spanish wives. The convention urged the dissolution of the political union, which was held to be— . . . in contradiction to the eternal ordinances of nature, who herself had marked with an unerring hand the natural bounds between the great gold regions of the northern and internal sections of the State and the rich and agricultural valleys of the south.

It expressed the desire for the formation of the southern counties into a territorial government, "under the paternal guardianship of the General Government."

There can be no doubt that many individuals residing in the south sincerely desired a new State or Territory; but association with Gwin and other pro-slavery leaders of national aspiration caused the northern part of California to see "an attempt to add more slave territory to that already existing rather than to endeavor to escape heavy taxation." Moreover, there was adverse comment in the East, where the idea was current that California had forced a way into the Union against bitter opposition; hence true patriotism dictated that southern Californians should remain in the State—disruption, indeed, might prove fatal to the Union.

Issues raised in the Santa Barbara Convention could only be settled in the State Legislature. Accordingly, attempts were made in the sessions of 1852 and 1853 to provide for calling a constitutional convention to revise the State Constitution, since it appeared that a general convention would be necessary before legal separation could be effected. In his message to the Legislature in 1852, Governor McDougal clearly recognized the unsatisfactory conditions obtaining, pointing out that taxation was "equal and uniform throughout the state" only in a legal sense, since the six agricultural counties of the south, with a population less than 87,000, paid into the treasury during the preceding year close to \$42,000, while the twelve mining counties, with a population of nearly 120,000, paid less than \$22,000. Some southern citizens, he continued, were actually forced to alienate portions of their land and sacrifice many head of their cattle to meet the burden; and worst of all, "the cords of amity between the sections were being broken."

The recommendation that a convention be called, "either to greatly reduce the limits of the state" or to authorize special legislation, was vigorously discussed both in and out of the Legislature. The measure passed in the Assembly but—perhaps on account of the injection of the slavery question—was finally rejected by the Senate.

Again in the Legislature of 1853 a bill was introduced recommending the calling of a constitutional convention. This passed the Assembly without difficulty, but met serious opposition in the Senate. While division of the State at some future time was admittedly probable—and regarded even desirable—immediate division was held by the majority report to be inimical to the development of the south and was likely to lower the world's esteem for the Pacific Coast. Public opinion was divided, likewise the press—with the balance probably against the measure. The religious press stood generally opposed to state division, largely because of the possible introduction of slavery. Near the close of the debate in the Legislature Mr. Hubbs proposed a vote on the question of dividing California into three states, "El Dorado" (the south), "California" (middle), and "Sacramento" (north). This proposal was speedily rejected, and the following day the original measure was lost for lack of the necessary two-thirds majority.

While the subject of state division continued to be agitated during 1853 and 1854 in certain quarters, it was not till 1855 that it again came prominently before the Legislature. Jefferson Hunt, assemblyman from San Bernardino, introduced a bill for the creation out of the territory of the State of California of a new state to be called "Columbia," which was to embrace the territory included in the counties of Santa Cruz, Santa Clara, San Joaquin, Calaveras, Amador, Tuolumne, Stanislaus, Mariposa, Tulare, Monterey, Santa Barbara, San Luis Obispo, Los Angeles, San Bernardino, and San Diego, together with the coast islands. On April 4 the committee reported a substitute measure providing for the creation of three states out of California.

The discussion revealed but little real opposition to some form of state division, but did show serious difference of opinion as to questions of constitutionality. Moreover, slavery and the negro question would not down, though any connection between the two issues was vigorously disclaimed. At any rate, the Legislature adjourned before state division received any adequate consideration in the Senate.

During the Legislative Session of 1856 the question received only listless attention: it was virtually crowded off the docket by the big issues of that memorable year—the split in the Democratic Party, the ascendancy of the Know-Nothings, and the intense struggle for the United States senatorship.

In April, 1858, resolutions were introduced in the Legislative by Senator Andres Pico, representing Los Angeles, San Bernardino and San Diego counties, looking toward the formation of a Territory from that part of California situated south of 35° 45'. This request was based upon the usual considerations of differences between south and north in climate, soil and production, as well as dissimilarity in language and customs and the great distance between the two sections. Pico's resolutions were not pressed at the time, however, because it was urged that a general discussion at that late date would interfere with the legislative work of the session.

Next comes the year 1859, memorable in the state division controversy. In early February, Pico introduced resolutions in the Assembly favoring segregation of the southern portion of the State from the more populous north and the creation from the segregated area of the "Territory of Colorado." In the proposed Act the desired boundaries of the new Territory were described as—

all of that part, or portion of the present territory of this State, lying all south of a line drawn eastward from the west boundary of the State along the sixth standard of parallel south of the Mount Diablo meridian, east to the summit of the Coast Range; thence southerly, following said summit to the seventh standard parallel; thence due east, on said standard parallel to its intersection with the northwest boundary of Los Angeles County; thence northeast along said boundary, to the eastern boundary of the State, including the counties of San Luis Obispo, Santa Barbara, Los Angeles, San Diego, San Bernardino, and a part of Buena Vista [a part of Tulare, later Kern County].

Section 2 provided for submitting the question to a vote of the electors of the portion sought to be segregated at the next general election, and in the event of a favorable vote of two-thirds majority, the Secretary of State was to send a certified copy of the Act together with the result to the President of the United States and to the senators and representatives in Congress.

As was to be expected, the discussion of the bill revealed considerable bitterness. At that time there were in California sharply defined Lecompton and Anti-Lecompton parties. The Lecomptonites had been successful in the elections; hence there was in the Legislature a strong pro-

slavery sentiment. There were those who did not hesitate to charge that the proposed division was but "a revival of the old scheme to cut the State in half and bring the southern part into the Union as a slave state." The *Sacramento Union* was particularly bitter in its denunciation of the measure. On the other hand, the majority report of the special committee, on the basis of reasons consistently and repeatedly advanced, fully endorsed the expediency of the measure, without expressing any opinion, however, on the subject of its constitutionality.

While this measure was under discussion, another bill was introduced proposing to allow "the citizens of the State of California residing north of the fortieth degree of north latitude to withdraw from the State of California and organize a separate government." The area affected included Siskiyou, Del Norte, Klamath, Humboldt, Trinity, Shasta, Plumas and Tehama counties. Nothing came of this rather grotesque proposal, which seems to have been presented as a possible checkmate on the more serious demand of the southern members.

On March 25 the Pico Bill passed the Assembly by a vote of 33 to 25; about three weeks later it passed the Senate by a vote of 15 to 12. All members of the Legislature from southern California voted for the bill. On April 19 it received the approval of Governor John B. Weller, who submitted to a vote of the people of the affected districts the question of dismemberment. The election, which was held in September, brought out a total vote of scarcely 3,300, being in favor of division nearly three to one.

The next step was to bring the matter before Congress. Accordingly the new Governor, Milton S. Latham, in January, 1860, just before resigning the governorship to take his position as United States Senator, sent a communication to President Buchanan in which he advanced an argument for the constitutionality of the proceedings. In his letter he stated that—

... the origin of this Act is to be found in the dissatisfaction of the mass of people, in the southern counties in this State, with the expenses of State Government. They are an agricultural people, thinly scattered over a large extent of country. They complain that the taxes upon their land and cattle are ruinous—entirely disproportioned to the taxes collected in the mining regions; that the policy of the State, hitherto having been to exempt mining claims from taxation, and the mining population being migratory in its character, and hence contributing but little to the State revenue in proportion to their population, they are unjustly burdened; and that there is no remedy, save in a separation from the other portion of the State. In short, that the union of southern and northern California is unnatural.

It was pointed out, however, that the people of the State at large were against the measure, and that the people being the proper judges upon that point, "the measure must be deemed, for the present, at least, impolitic."

Both houses of the State Legislature adopted a resolution to carry out the provisions of the Act of 1859;—it remained only for the National Congress to ratify the action of the State. Before final action could be secured at Washington, the whole country had become deeply agitated over the vital issues of secession and impending conflict; thus the measure failed to receive serious attention in Congress, and thus California narrowly escaped state division.

It may be of some academic interest to inquire as to the status of the Act of 1859—which has never been repealed—after the lapse of these many years. One prominent attorney of Los Angeles, Robert N. Bulla, who had served two terms in the State Senate, has thus expressed himself:

I believe that there is no inhibition contained in the Federal Constitution against the creation of a new state from within the boundaries of one already existing, and that if the Statute of 1859 is still in force, the only thing legally necessary to secure the division of the State of California is the consent of Congress. . . . My own conclusion is that the said Act is still in full force and effect.

Viewing the question practically, however, and calling to mind the widely changed conditions that obtain at present as compared to those of two-thirds of a century ago, it would seem to be safe to aver that in any future consideration of State division there is not even a remote prospect that the Act of 1859 will ever be invoked.

For nearly two decades the question quietly slumbered. In the late seventies it was mildly revived, as certain Los Angeles papers brought it before the public. But slight significance attached to the movement till the year 1881. As a result of some agitation a mass meeting was held in February of that year, which adopted resolutions approving State division and authorizing the appointment of a legal committee of nine attorneys. This committee reported that the Act of 1859 was still in force and that Congress was competent to admit the new State.

The call was issued for a special convention of southern California delegates in Los Angeles for September, to take further action. While Los Angeles County was well represented, few delegates were in evidence from other southern counties. It was complained that Los Angeles wanted to be the capital of the prospective State of "South-

ern California" and planned to monopolize the offices. On the whole the sentiment favored division, but there was little enthusiasm outside of the Los Angeles delegation, and, the movement being deemed inopportune, nothing further was done.

New impetus was given the subject in 1885, when the State Board of Equalization raised the assessment of Los Angeles County—an act claimed by some to be a part of a conspiracy to check Eastern immigration to southern California. The most persistent of all the causes of the dissatisfaction in the south has been the alleged injustice with which that section has been treated by the north in matters of assessment and taxation.

In 1888 General William Vandever, Congressman from the sixth California district, introduced a bill proposing to divide the State and create the State of "Southern California." This bill was never reported out of committee. During that same year another State Division Convention was held, the subject threatening for a time to become serious; but the revival of interest was without result.

That the political leaders took cognizance of the question—though by no means always favorable to State division—is illustrated by the following declaration made by the Democratic Convention of 1890:

The Democratic Party of California declares itself unalterably opposed to all schemes having for their object the division of the State of California, and pledges itself to maintain this great Commonwealth, brought into the American Union by Democratic statesmanship, undivided in its greatness.

In 1909 State division flared up anew and with great vigor in Los Angeles, assuming a more serious aspect than at any time since the Civil War. The State Board of Equalization included two southern members but was controlled by the three members from north of Tehachapi. The horizontal advance of forty per cent in the assessed valuation of Los Angeles County aroused intense indignation in the minds of certain citizens, and as a result a meeting of protest was held at the call of the Los Angeles Realty Board. This meeting was presided over by George N. Black and was addressed by several speakers who seemed to take delight in excoriating the three northern members of the Board of Equalization. A long series of resolutions were adopted, including the following:

Whereas, the entire course of conduct pursued in this matter by the majority of the State Equalizers has demonstrated conclusively that the injustice of which we complain was premeditated:

Therefore, be it resolved by the citizens and taxpayers of Los Angeles County in mass meeting, that we earnestly protest against this action.

Resolved, that we feel that the men guilty of perpetrating this outrage have added fuel to the flame of sectional animosity, thereby crystalizing into an issue of the first magnitude the question of State division.

Resolved, that we demand of the Legislature of this State a readjustment of the equalization districts on the basis of the distribution of assessed valuation, thereby giving to Southern California an equal half of the membership of the State Board of Equalization.

Several speakers raised their voices against division, among them being Percy H. Clark, who declared it would be but a short time before "the biggest portion of the population will be in southern California. Then we can bring the capital down here and locate it where we please."

Nevertheless the division sentiment strongly predominated, and delegates were named to plan for a later conference. A single paragraph from an editorial in the *Los Angeles Express* will serve to illustrate the pitch of excitement that prevailed in the minds of southern divisionists:

Southern California has reached a crisis in her history. Recent events have demonstrated that her safety, security and progress demand the division of the State. Otherwise each act of injustice will but lead to another, each discrimination to greater discrimination, and every tyranny to larger tyrannies. If we tamely submit to the outrage heaped on the southern section of the State by the Board of Equalization, we shall find ourselves the victims of injustices even more outrageous. Let us have done with speech and prepare for action.

But it would be a serious mistake to imagine that extreme sentiment obtained among the people generally. As a matter of fact, the question was of lively interest to a small minority of the citizens of Southern California. And the *Los Angeles Times* pointed out that under conditions of aroused sentiment, "it is always well to sleep upon the matter and not permit ourselves to be carried away by passion instead of reason." Continuing, it said:

We are smarting under the injustice inflicted upon us. Our blood is hot and our minds excited, and if a campaign is opened at this time for division of the State it will be acrimonious and in every way detrimental to our business interests. Whatever is done in the end would better be let go over for a more convenient season.

For some time during the autumn of 1909 the discussion continued. There was a revival of the historical aspects of the controversy, there was debate on the constitutional phases, there was rehearsal of all manner of reasons for and against State division. It was of no assistance to the waning cause of southern divisionists when another plan was put forward at the northern end of the State for the creation of a new State of "Siskiyou," to embrace Del Norte, Humboldt, Trinity, Siskiyou, Tehama, Modoc,

and Lassen counties of California together with the seven southernmost counties of Oregon. Let it suffice to say this project was never taken very seriously—perhaps one of its principal effects was to speed the whole question of state division on its way towards forgetfulness. So strong was the opposition in northern California and so lacking in unanimity was the movement in the south that the matter was finally dropped.

A recent outcropping of the ancient and traditional feud between the *arribanos* (uppers) and *abajenos* (lowers) was seen following the autumn election of 1914, when southern Californians were charged by a few representatives of the "free spirit" of the north with revealing a dangerous proclivity for prohibition and other measures which, they held, were "bad for business and keep capital out of the State." Los Angeles was charged with being composed of Easterners and not true Californians. Here and there a newspaper lashed itself into mild fury in the fear that the inhabitants of the southland might endanger the "free spirit of California," and so there was again talk of State division abroad in the land.

This time, however, the north was the aggressor, and it was solemnly proposed that the eight southern counties—Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, San Diego, Imperial—should be cut off entirely and thus that the State should be divided at the Tehachapi. Initiative petitions were to be circulated, bringing before the voters of California the question of amending that section of the Constitution relating to boundaries so as to exclude the eight southern counties. When it appeared that the movement might take on serious proportions, during the early months of 1915, it was urged by at least one southern writer that a counter petition should at once be circulated providing for a line of division that would include, in addition to the counties proposed in the northern petition, four additional counties—San Luis Obispo, Kern, Inyo, and Mono,

the two latter so that the Los Angeles Aqueduct and its sources of supply shall not be inadvertently left out of the new state, and the two former because by right of physical configuration, business associations, climatic conditions and products, they belong to this section.

The agitation of 1915, however, attained very slight momentum—it was rather a mere flurry than a sustained and definite movement, and the only new reasons for division appearing at the time, while somewhat naïve and picturesque, were generally regarded as quite preposterous.

On one pretense or another the ghost of State division has appeared bienially with the recurring sessions of the Legislature; but the very frequency of the appearance has greatly reduced the fear of consequences. Most latterly there has been more or less desultory talk of division because of the failure to arrive at a satisfactory solution of legislative reapportionment based on the 1920 census, the south setting up the contention that it has not been accorded the recognition demanded by its rapidly growing population in the matter of senatorial and assembly districts.

In concluding this paper it will be appropriate to pass under rapid review the principal considerations that have, with considerable persistency and at times with much energy, been urged for the division of California and in rebuttal of such contention, and finally to make brief reference to the forces that have militated against division and now uphold the unity of the commonwealth.

One of the strongest arguments for division is that based upon nature and the natural forces. The State is very large geographically, with more or less sharply-defined mountain walls between north and south; there are marked climatic differences; the longitudinal distances are very great, interposing serious handicaps in travel and transportation—repeatedly has it been urged that the present boundary is lacking in unity—that nature herself decreed division.

Resting upon the forces of nature the diverse interests of north and south have been pointed out from the early gold days to our own time. Occupationally—so it is said—Californians have been as two peoples, unnaturally held together within the bounds of a single commonwealth, while the diversity in the characters of the two populations has been scarcely less marked.

Politically, great gain has been seen in division. Two or three states where now there is one would be represented at Washington by four or six senators instead of two and by added numbers in the House of Representatives, Southern California would have its own capital, make its own laws, and administer its own affairs instead of being subjected to the inconvenience and the injustice of an absentee rule that has on many an occasion been a disturbing factor in the past.

Tradition itself records a spirit of rivalry—frequently bordering on separation—between north and south, that

antedates statehood in California. This age-long feud, always maintained in a spirit of levity, now and again assuming graver mien, has been symptomatic of a subjective division that—it is said—might well be given objective reality.

If then, as a prominent writer has said, "California is divided," as a result of natural, occupational, political, and traditional factors, why not consummate the legal recognition of the fact? Why not avail ourselves of the advantages of a new and additional state?

The very fact that California has endured without division or separation for three-quarters of a century suggests to the thoughtful that there have always been powerful elements making for unity. While it cannot be said that California is a unit topographically, there is nevertheless much in our geographical and other physical features that constitutes a marked degree of unity.

Our long, comparatively unbroken sea-board presents a striking contrast to that along the Atlantic or of the west coast of Europe; our mountain ranges stretch virtually the entire length of the State; and, considering the great distance from north to south, California is to a remarkable extent a climatic unit. By selecting points of varying altitudes and distances from the coast, locations of comparatively even rainfall may be indicated over the length of the State. Even the flora and fauna show wonderful unity in variety. The California poppy is found from Oregon to Mexico.

Occupationally the different sections have been drawing rapidly together. To be sure there was a time when mining was the dominant interest of the north and agriculture of the south. The '49 tradition was exceedingly strong in San Francisco, and Los Angeles was dubbed the "Queen of the Cow Counties." All this has been radically transformed by a conspiracy of forces—exhaustion of mines, increase of population, irrigation both north and south with consequent intensive farming and horticulture, the rise of the petroleum industry, phenomenal development of manufacturing and expansion of foreign trade, the changed methods of transportation and communication, and corollary factors. If for a time the need for irrigation was more obvious in southern California, its benefits are now likewise clearly perceived in central California and even in the extreme north. Commerce of incredible volume has sprung up in the south, particularly at Los Angeles Harbor; while the citrus industry has attained very significant

magnitude in certain sections of central and northern California. Great power lines now extend the length and breadth of the State; the marvelous advances of modern science have made it possible to use power generated in the Shasta region along the lower Colorado River. The great railway net has been supplemented by the most wonderful highway system in the world, and the automobile has become a powerful promoter of unity, while the navigation of the air is now well begun. Journeyings to and fro that once consumed days and almost weeks are readily accomplished in scant hours of time.

Such a transformation of industry must necessarily reflect itself in political conditions. The integration of business and commerce and the annihilation of distance tend to destroy ancient political differences and resolve problems that once were serious. To be sure, two or three states where now California is would insure larger numerical representation in the United States Senate from the Pacific Coast, but this representation would not be California's! Consolidation is the watchword of the day, not disintegration. If in looking backward there appear in our history reasons for the division of the State and the setting up of a new government, reflection upon the changed conditions of today and a thought for the unfolding drama of the future will impress one with the conclusion that those reasons have lost their cogency and are no longer convincing. Already the course of history has proven William M. Gwin a false prophet when, in advocacy of the larger boundary of California, he thus expressed himself before the Constitutional Convention in 1849:

If we include territory enough for several States, it is competent for the people and the State of California to divide it hereafter. . . . So far as I am concerned, I should like to see six States fronting on the Pacific in California. I want the additional power in the Congress of the United States of twelve Senators instead of four: . . . And the past history of our country, sir, develops the fact that we will have State upon State here—probably as many as on the Atlantic side—and as we accumulate States we accumulate strength; our institutions become more powerful to do good and not to do evil. I have no doubt the time will come when we will have twenty States this side of the Rocky Mountains. I want the power, sir, and the population. When the population comes, they will require that this State shall be divided.

H. W. Halleck proved the better seer when in 1851 he advised against division. In a letter to Pablo de la Guerra he wrote:

For God's sake don't commit yourself to the state separation. California will rue the day she ever seriously enters into the question, or I am no prophet.

The history of the controversy for State division in California is an interesting story, of many chapters; but now it is as a tale that is told. The forces that make for unity have triumphed. Having survived many a struggle—sometimes serious but oftener merely ephemeral—unified, loyal California, majestic and puissant, sees on her horizon no ominous cloud threatening division. On the contrary, the very forces that seemed to make for feud and separation—physical, occupational, political—have become cementing bonds of unity.

And still more potent than these is the irresistible force of tradition; and chief among the cherishers of the tradition of unity are the legions of native sons and native daughters. These are lovers of the whole great State of California, and great is their faith in her high destiny. If physical unity were unattainable, if occupational divergence were fixed and permanent, if political anomalies were incorrigible, it is doubtful whether the logic of division could overcome the momentum of the spirit and tradition of unity in a hundred years; but when geography and climate itself become the hand-maids of unity, when the conscious interdependence of north and south in industry and commerce binds the sections ever more firmly together, when the common problems of the Empire State of the Pacific bespeak the strength of unity—then the heritage of a loyal people, the tradition that binds as with hooks of steel, give full assurance of a Commonwealth fronting the Pacific and the future with the strength of union,—California, one and indivisible!

SOUTHERN CALIFORNIA IN CIVIL WAR DAYS

By Percival J. Cooney

California was fortunately spared the horrors of actual fighting during the Civil War period, but, nevertheless, soldiers were very much in evidence, and nowhere was partisan feeling more bitter. And there is much reason for believing that there was a widespread conspiracy to deliver southern California to the Confederacy, a conspiracy that was frustrated by the prompt action of the military authorities.

No comprehension of the time or the events can be had without first taking a bird's-eye view of the land and the people as they existed in '61 to '65. Los Angeles was a town of less than 2,000 persons; San Gabriel a village of a few hundred. Between San Gabriel and San Bernardino there was but one settlement of note—El Monte—where, on the subirrigated lands of the San Gabriel Valley, the American pioneers who had come out on a wagon train in 1852 were clearing the swampy land and establishing homes. There was a native California village at the site of the old mission at the turn of the river a mile or two north of Montebello and a tiny hamlet at Cucamonga. The great cities of today—Pasadena, Glendale, and the beach towns—did not exist. The whole territory from the west end of the San Fernando Valley to San Bernardino was devoted to but two industries—cattle and grain raising. But it was primarily a cattle country; there was no fencing law—that is, a man engaged in farming was obliged to fence his land to protect it from the encroachments of the half-wild range cattle. Through this sparsely settled land ran the San Bernardino road, which later has become the Valley Boulevard. San Bernardino was a town of about 1,000 people, composed of Mormons and southerners.

The entire population south of Tehachapi was not more than 12,000. Three-fourths of these were southerners by birth and ancestry. Until October, 1861, news arrived by pony express from the east to San Francisco and was wired to Los Angeles. Stages ran two or three times a week, and later daily, eastward by Warner's Ranch, the Imperial desert, and to Yuma.

The events of the early months of 1861 brought home to the people of California that matters in the east were

approaching a crisis. Lincoln was inaugurated March 4, and Jefferson Davis was inaugurated as President of the Confederacy four days later. The eyes of the State were fixed on the California Legislature, and a sigh of relief went up from all Union men when, on April 4, 1861, it elected McDougall, a Union man, as United States senator.

On April 26 came the news of the firing on Fort Sumter, and in May, after a prolonged and fierce debate, the California Legislature passed loyal resolutions placing the State squarely behind the Lincoln government.

The rage of the southern sympathizers at these last two events was so violent, their denunciations so bold and defiant, that even the military authorities were amazed and anxious. Brigadier-General Sumner, writing on April 28, 1861, to the Adjutant General at Washington, said:

I have no doubt that there is some deep scheming to draw California into the secessionist movement. The troops now here will hold their position on all government property, but [and this admission is significant, coming from the general of the military district] if there should be a general uprising of the people it would be impossible to put it down.

Santa Barbara reports that the native population of California will join the secessionist movement to a man. Captain Hancock, in Los Angeles, states "that persons who have been influential in politics are active in encouraging acts of hostilities." The Bear Flag (then considered an assertion of state's rights) was paraded through the streets of El Monte, and a company known to be secessionists was said to be drilling. Editor Sherman of a San Bernardino paper reports that "secret meetings in San Bernardino and El Monte are being held by secessionists; the Stars and Stripes are openly cursed," and he begs that a company of cavalry be sent to San Bernardino.

In 1862 we find, in a report from Major Carlton, who was in command of the troops later stationed at San Bernardino, the first reference to an unusual congregation of miners in the mountains, particularly in Bear and Holcomb valleys. He estimated their numbers at from 1,000 to 1,800 men. Attempts to form a Union club failed and the streets in the evening rang with cheers for Jeff Davis.

San Bernardino and El Monte were regarded by the authorities as the two dangerous spots. Troops were kept at San Bernardino until the end of the war and were stationed at El Monte intermittently.

Henry Willis of San Bernardino reports, on August 5, 1861, that a man named Kelsey, a man "enterprising,

cautious and brave," has held meetings in Holcomb Valley. A friend of Willis, by arrangement, attended as a spy and reported to him that the purpose of the meetings were to ascertain the fighting force of the seceders in the county, and enroll them as a force to act in connection with other forces throughout the state, having for its object the seizure of public property here and to raise the standard of rebellion, and bring on a civil war in the state.

August 6, 1861, Charles Bennet reports from San Bernardino:

They are enlisting all they can. The headquarters is in Holcomb Valley. . . . They expect to go via Texas to the Jeff Davis Confederation. They are to go in squads, and to travel in the night.

It will be noted how close a resemblance this plan—which will be treated of again—bears to that of Judge Hastings, with whom we shall deal later.

The two Los Angeles papers at the time were the *Star* and the *Southern News*. The *Southern News*, oddly enough, supported the government in a rather mild manner, while the *Star* openly stated that Lincoln was responsible for "this unholy, unjust, unconstitutional and unjustifiable war." It criticized Lincoln's immortal first inauguration speech as "not meaning anything in particular."

The principal hotel at the time in Los Angeles was the Bella Union (now the St. Charles block on Main Street). It was a gathering place for the southern chivalry, and guests wearing the uniform of the United States were treated with such scant courtesy that the military authorities finally ordered the soldiers to cease patronizing it. On one occasion a large picture of General Beauregard was displayed and hung in the hotel with much acclaim. These events doubtless led to the organization of the Home Guards in Los Angeles, the moving spirits in which were Don Abel Stearns and Henry Barrows, United States Marshal.

Visalia, in the San Joaquin Valley, was another town where secession spirit ran rampant.

"It is an everyday occurrence," writes the officer in charge of Visalia in 1862, "for them to cheer in the streets for Jefferson Davis and follow it with groans for the Stars and Stripes. They insult the soldiers by calling them 'Lincoln's hirelings.' Dr. Russell, one of their leaders, paid his license and posted it in his window with this notation: 'I pay this license to help murder my people back east.'" He further reports that fist fights between soldiers and citizens are of daily occurrence and in the previous week a soldier had been shot and killed.

The election which took place in September, 1861, saw a near-riot on the streets of San Bernardino. Captain Davidson, in command of the soldiers there, says:

I drove to the polls in a buggy about the time of their closing and found a mob of two or three hundred people standing around, most of them with sticks in their hands. They began shouting: "Hurrah for Jeff Davis! Hurrah for the Southern Confederacy!", in spite of the fact that my men were only 300 yards away. Most of them had revolvers as well. One of them shouted at me that "If the Union men felt they were stronger that they could start in"—that they could beat them robbing and burning any day.

The captain stood up in his buggy and denounced them as enemies of the country. Then whipping up his horses, he drove straight into the crowd; and he adds, rather naively, "that he believes that he rode over one man." He returned in a few moments with a squad of dragoons on horseback and spoke to the crowd from the saddle, warning them that treasonable sentiment would not be tolerated. This brought a cheer from a small group of Union men who had gathered about, and the crowd sullenly dispersed.

September 30, 1861, General E. V. Sumner, in command of the Pacific Department, with headquarters at San Francisco, gave the following orders to Colonel Wright at Camp Drum (as the military post at Wilmington was called):

The secession party in the state numbers about 32,000 and they are very restless and zealous, which gives them great influence. They are congregating in the southern part of the state, and it is there they expect to continue their operations against the government. . . . Put a stop to all demonstrations in favor of the rebel government, or against our own. You will establish a strong camp at Warner's Ranch and take measures to make Fort Yuma perfectly secure.

The Knights of the Golden Circle

Behind all these apparently sporadic outbursts was undoubtedly the consciousness that the disturbers had back of them a wide-spread organization, the Knights of the Golden Circle. At a comparatively early date, however, the government was well informed about this organization, partly through detectives employed for that purpose and partly through Union men who, pretending to be southerners, succeeded in entering their lodges.

Clarence E. Bennett of San Bernardino, by means of a friend who posed as a secessionist, in August, 1861, secured a copy of their pledge and constitution, and forwarded it to General Sumner of San Francisco. It reads as follows:

Whereas, a crisis has arrived in our political affairs which demands the closest scrutiny and strictest vigilance of every true patriot as an American citizen; and *whereas*, we view with regret and heartfelt sorrow the existence of a civil war now waged by one portion of the American people against one another; and, *whereas*, we also believe that this war has been called into requisition by the present executive of the United States without the guarantee of the constitution and without the consent of either branch of the American Congress in their legislative capacity, and believing this is an unjust, unholy, iniquitous war; therefore be it

Resolved, that we, as a portion of the citizens of the United States, will support the constitution as it now stands, together with the amendments thereunto appended, and that we will strictly adhere to the decisions of the United States supreme court made under said constitution where a difference of opinion has heretofore or may hereafter occur between the citizens of one state and those of another, or between the state and the federal government, foreign citizens, subjects, etc. Second, be it further

Resolved, that, in our opinion, the president has violated the most sacred palladium of American liberty by the suspension of the writ of habeas corpus, and thus depriving an American citizen of having the cause of his imprisonment inquired into by the proper tribunal. Third, be it further

Resolved, that we are in favor of sustaining the southern states of the American Confederacy in all their constitutional rights; that we believe an unconstitutional war is now being waged against them to subject them to a taxation enormous and unequal and to deprive them in the end of their species of property called slaves. Fourth, and be it lastly

Resolved, that we mutually pledge to each other our lives, our property, and our sacred honor to sustain our brethren of the southern states in the just defense of their constitutional rights, whether invaded by the present executive or by a foreign foe.

OBLIGATION

I, (.....), here in the presence of these witnesses, before Almighty God promise and swear that I will not divulge or reveal any of the secrets of this institution to anyone except I know him to be a brother (or to instruct candidates). I furthermore swear that I will obey the proper authorities when ordered to do so, and that I will assist a brother of this institution in his rights, individually or constitutionally, when required of me by him, if need be with my life. All this I solemnly swear to obey under penalty of being shot.

Not only the ritual, as given above, but the grip, the pass words, and the words of recognition used by members of the order were discovered by the detectives and are to be found in their reports. The words of recognition ran as follows: "Do you know Jones?" "What Jones?" "Preacher Jones." "Where does he live?" "At home." "Where is his home?" "In Dixie."

Memories of Pioneers

The memories of the men now living give ample corroboration of the events touched upon in the records. Henry Guess of El Monte, now well over 70 years of age, says:

I remember well the meetings that used to be held at my house and at other houses in those days, and dozens of times my father woke me up in the night with orders to "Get up and get that fellow a horse; he is going to fight the Yankees."¹

Mrs. Dodson of El Monte, who was 20 years old at the time, recalls meetings being held in the houses about El Monte.

One man still living, who took part in these stormy times, is "Tooch" Martin of Pomona. Mr. Martin is 87 years of age, with a mind as keen and active as a man of 40. During the '80's he served a term as one of the Los Angeles County supervisors. He was one of those who took part in the famous Bear Flag parade in El Monte during '61.

We had formed a home guard in El Monte, and every one of them were Southerners. Our first purpose was to protect our property, for we feared a general confiscation in case of a Union victory, and of course, our sympathies being with the South, if the Confederacy had captured Washington we would have struck a blow here. We were ready and determined and well organized. Our home guard asked Governor Downey for guns. Being a Democrat, we believed he was secretly with us, but probably we were mistaken in that. At any rate, the governor sent the arms—so we were informed—but the army officers at San Pedro discovered the truth and we never got them. I took part in that Bear Flag parade. There were about 200 of us, and we carried the Bear Flag. We marched around Jonathan Tibbetts' house in the moonlight, as we wanted to give him a scare. He was a Black Republican, and we knew he was giving information to the government.²

In July, 1861, I had finished a year as teacher of the little one-room school in El Monte, right where the cement bridge is now, but before the trustees would employ me for another year they demanded that I take the oath of allegiance to the United States. Being a Texan, of course I refused, and they refused to pay me my last half year's salary, \$119. I was only 17 at the time, so I went up-state to Healdsburg, where I had relatives, and went six months to the high school there. I organized a lodge of the Knights of the Golden Circle—of which I was already a member—in Healdsburg. We had a big lodge in El Monte, almost everyone belonging to it except the three or four living down on what was known then as "Black Republican Alley"—the Durfees, the Johnsons and a few others. I returned to El Monte in 1863. Gettysburg had been fought and Vicksburg had been taken, and there wasn't much chance of the South winning, so I took the oath and got my \$119.

"Do you know Jones?" I inquired.

"What Jones?" he answered promptly.

"Preacher Jones."

1. Henry Guess of El Monte, states that the soldiers under a Captain Hancock were camped just west of El Monte on the Taylor tract, recently subdivided. Chance Lewis remembers well that at a later period they were camped on the spot where the ice cream factory now stands, east of El Monte on the highway. Both of these pioneers were boys at the time.

2. This Bear Flag parade is mentioned in the histories of Bancroft, Guinn and others, and many times in the military records. The Tibbetts homestead about which the parade took place was located west of El Monte, on the corner of Valley Boulevard and Walnut—an old red building which was torn down about a year ago.

"Good Lord!" the old man gasped. "Where did you get that? I thought that everyone who knew about it was dead but me." I told him of the reports of the government detectives, and he remarked: "Well, we suspected as much at that time, but we couldn't tell who they were."

Jonathan Tibbetts of Riverside, a son of the Jonathan Tibbetts mentioned by Mr. Martin, confirms the story of the El Monte Bear Flag parade:

I was only a boy, but I remember it well. My father, I think, must have been in the secret service. He traveled about the country buying cattle, taking me with him, and he was always in consultation with army officers. "Tooch" Martin was always an incorrigible old "reb," but he is right about my father giving information to the government. That night one of the paraders mounted the high fence about our place and dared him to come out. Dad put a gun out the window and called, "Get down, Bill; I know you. Get down or I will shoot you off that fence." Bill got down.

The Showalter Expedition

Among the leaders of the Southern element in California there were undoubtedly some who grew impatient, and among these was Dan Showalter, an interesting and remarkable character. Though born and raised in Pennsylvania, he was an ardent secessionist. He was a member of the legislature in 1861, and in the debates on the resolution which finally placed California on the side of the Union, he took a prominent part. Bitter, indeed, must have been this discussion, for, on May the 23rd, Showalter and a Union member of the legislature from San Bernardino County, named Piercy, met in a duel on the outskirts of Sacramento. Piercy was shot through the heart.

The election of 1861, which resulted in the victory for the Union forces in California and the election of Leland Stanford as governor, evidently determined Showalter to leave the State and join the Confederate army. There was nothing new in this move, as will be seen later. Young Southern sympathizers had for many months previous been making their way out of the State over the trail through Temecula, Warner's Ranch, and across the desert to Yuma. There was little difficulty in this, the official reports of army officers to their superiors show, as nearly all of the residents along the route were Southern sympathizers.

Immediately after the election, Showalter organized at El Monte, in November, 1861, an expedition of eighteen men and started south, giving out publicly that they intended to cross the border and engage in mining operations in Mexican territory. This plan of escape bears an evident

resemblance to the plan of Judge Hastings, to be dealt with later. They probably would have made good their escape, as they traveled by night and rested during the day, had they not made the fatal mistake of taking a Union man into their confidence. One E. M. Morgan, an avowed Southerner, one day in the last week of November, 1861, brought to E. E. Cable, living at Temecula, a letter and requested that he should deliver it to one Sumner, who was to arrive in a few days. Morgan must have been unaware of Cable's real sentiments, for he immediately forwarded the note by messenger to Major Riggs, who was in command of a detachment of the First Volunteer California Cavalry, stationed at Oak Grove, a few miles away. Riggs opened the note and found that it was from Showalter warning Sumner (whom Showalter's party had evidently expected to find in Temecula) that the party had already passed that point and instructing him to follow as soon as possible. Major Riggs at once sent out the force under Lieutenant Welman and, guided by a native Californian named Ocampo, they located Showalter and his armed men concealed in a grove on the Winter's Ranch, not far from Warner's.

The party put up a bold front and at first refused to surrender, as they claimed to be innocent miners on their way to Sonora. Showalter announced that he was willing to fight it out then and there, but was finally overruled by his men, and the expedition surrendered. When brought into the camp of the cavalry at Oak Grove, they were all found to be armed with a rifle and two revolvers each, and every one except Showalter himself was a native of a seceding state. A number of letters captured on their persons and addressed to friends in the State showed that they had intended to cross the Colorado River thirty miles below Yuma. In one letter, which was addressed to Allison Powell and written by Showalter himself, there were instructions to "Get in touch with Sam Brooks in Sacramento." This indicates how far the conspiracy had gone, as Sam Brooks was at that time comptroller of the State of California. Major Riggs, in his report of the affair, called the attention of his superior to this and said: "Brooks, one of the State officers, who is to vacate his office soon, is as deep in the mud as they are in the mire."

The entire membership of the party expressed themselves as willing to take the oath of allegiance. This was done and they were taken to Fort Yuma, where they were held for a while and later released. We shall hear more of this Showalter later on in a more pleasing guise.

Californians Reconquer Arizona

This incident aroused the military authorities to the necessity of more effectually closing the road to Arizona. The forces along the trail were immediately strengthened; all boats and ferries on the Colorado were seized; Yuma was reinforced and orders were given that all crossings of the river should be guarded and that no one should be permitted to cross without a pass from the military authorities.

During the latter months of 1861 small forces of Confederates had entered Arizona and taken charge of it in the name of the Confederate government. The attempt of the Showalter expedition was responsible probably, for the organization of the California Column. No draft was ever necessary in California during the Civil War, as her volunteers exceeded the number of men called for. The California Column was composed, not of regular troops, but of Californians who had voluntarily enlisted,—a regiment of infantry, one of cavalry and some artillery, about 1,500 men. They marched on the San Diego road on April 13, 1862, following the trail through Temecula, Warner's Ranch, Cariso Gorge, and across what is now Imperial Valley. By September 20, 1862, they had reoccupied all of southern Arizona and New Mexico. The small Confederate forces in the territories either scattered or withdrew before their advance. While there were no battles of serious importance except occasional brushes with marauding Apaches, the march of 1,500 men through this stretch of arid country, carrying with them their baggage, in the hottest season of the year, was a remarkable military feat, and one which has elicited the admiration of military experts. It effectually closed the eastern gate to southern California.

Jefferson Davis Asked for Help

Widespread as were the organizations of Southern sympathizers, yet, when they found themselves face to face with the continued military occupation of all towns and strategic points in California, they hesitated to act. It was plain by the middle of 1863 that an armed uprising would not have much chance of success, but they still held their organization intact until the end of the war, as is evident from the reports of detectives late in 1864. The continued concentration of miners in the San Bernardino mountains, the numerous reports of camps in the canyons filled with idle men who eked out an existence by hunting,

trapping, and possibly a little placer mining, all indicate that the sympathizers from the South in southern California were still in hopes that something would happen which would give them an opportunity to strike a blow for the Confederacy.

That this is not a speculation is shown by the fact that an emissary from California did actually visit Richmond and solicit aid from Jefferson Davis. This was not known at the time, but it was strongly suspected by Union men who knew of the increased number of miners in Bear Valley, in Holcomb Valley, and in the San Gabriel, San Antonio and other canyons. There are intimations to be found everywhere in the records that the discontented, especially about San Bernardino, seemed to be awaiting a chance to "cut loose." What they were undoubtedly waiting for can be found in the Confederate records which were captured in Richmond when the Union troops entered there in 1865, and from which this information is taken.

The man who carried the appeal for help to the president of the Confederacy was Judge L. M. Hastings of Los Angeles. He arrived at Shreveport, Louisiana, on Sept. 18, 1863, having come by the way of Guymas, Mexico, and El Paso, Texas. At Shreveport he interviewed General E. Kirby Smith, in command of that Confederate military district. Smith, however, was suspicious of Hastings, and says, in his communication to Seddon, Confederate secretary of war in Richmond, that Hastings "has failed to satisfy him as to the propriety of trusting him in so important a matter." Smith also advised Hastings to proceed to Richmond and lay his proposal before the Confederate government.

Hastings, not at all discouraged, arrived in Richmond in December, 1863. In order to secure access to Davis he prepared a long letter of introduction and recommendation, which was signed by several names, among which was that of M. H. McWhite, the territorial delegate from Arizona to the Confederate Congress. Whether the others were Californians or congressmen from Southern states is not clear, but the letter strongly indorses Hastings and concurs in the "necessity and feasibility of Judge Hastings' plan," and states further: "Judge Hastings has resided in California upward of twenty years and has been a prominent and influential citizen of that State, holding various important positions of public trust."

The memorandum of Hastings' plan which was pre-

sented personally to Davis (he refers to this in a subsequent note dated December 29) was as follows:

Hastings was to return to California via Guaymas, Mexico. As soon as he arrived in Los Angeles he would publish a pamphlet describing in alluring terms the mineral resources of Arizona and Mexico. He would then organize fake mining companies composed of sterling Southerners, who would immediately advertise extensively for men. None were to be chosen for the expedition, of course, except those known to be favorable to the Southern cause. All were to have their expenses guaranteed by the company—and here is a significant statement which connects Hastings' mission with the much wondered at concentration of miners in the San Bernardino mountains and the Knights of the Golden Circle:

These pamphlets will be published and distributed through the influence of secret organizations now existing throughout the state.

The men are to leave and cross the desert in small companies in order not to attract attention and to rendezvous near the Colorado river. When a sufficient number have arrived they will reduce Fort Yuma (Showalter and his companions were prisoners there at the time), release the Confederate prisoners, seize the three steamers plying between Yuma and the mouth.

Meanwhile another group, who, also disguised as miners, had taken ship from San Pedro to Guymas, were to march overland through Mexico, carrying proper passports. They were to move in small parties as mining prospectors, avoid difficulties with the inhabitants, and to rendezvous south of the line not far from Yuma. When the proper moment arrived the two forces were to combine, attack Fort Buchanan and then move overland from the Rio Grande to El Paso, where they would place themselves at the disposal of the Confederate authorities.

That Hastings was confident that he could raise the required number of men in California under these conditions is shown by his statement:

I can raise in California from three thousand to ten thousand superior troops, and every six months I can throw an additional force into Arizona from California during this unholy war.

He then concludes by asking that the government supply him with sufficient funds to carry out this plan, which, as he detailed it, would not require a very large expenditure, as most of the men would supply their own horses.

Jefferson Davis, after a ten days' consideration of the project, referred it back to Seddon, Secretary of War, and Seddon reported against it. Hastings, in a letter to Davis, January 11, 1864, "regrets to learn that the government cannot enter upon the enterprise for lack of funds."

But Hastings was not a man who gave up easily, and he submitted another plan to Davis. He will return to California via Mexico, further perfect the "secret organiza-

tions" now existing, raise 1,500 men "without the financial support of the Confederacy." All he asked was that the Confederate government would give him a promise that in case of success they would reimburse himself and the members of the expedition for their outlay.

But it was too late. In January, 1864, the Confederacy had more pressing matters than the recapture of the road to the Pacific. Gettysburg had been fought; Vicksburg had fallen. Did Hastings receive this authorization from Davis or did he receive a final refusal? At any rate, nothing more of him is to be found in the Confederate records captured at Richmond, and the writer has found no further record of him in California. It is probably fortunate for California and Arizona that his mission was deferred until 1864, for, if he had arrived in Richmond earlier in the war, when the Confederacy was in the first flush of its early successes, his plan might have been adopted and history for southern California and Arizona might have had to be written very differently.

The frequent references made by Hastings to "secret organizations in California," the statement that they could be depended on to distribute his mining prospectuses, the men "gathering in camps" in the San Bernardino Mountains, the statement in one report of an army officer that boast had been made that "within a year you will be living under the finest government on earth—the Southern Confederacy," all indicate that these are not mere coincidences, but that the plan was well understood by the leaders and the rank and file, and that Hastings himself was an emissary of the Knights of the Golden Circle. Additional confirmation may be found in the fact that, six months after Hastings' failure at Richmond, Judge Terry (a prominent Democratic politician, who twenty years later was shot by a deputy sheriff in the northern part of the state, some time in the 80's) arrived in Houston, Texas, with a commission from Jefferson Davis, to raise a brigade for the rescue of Arizona, and the statement of Bennett of San Bernardino, in an official military report, that "the men are to leave in squads so as not to attract attention." That Terry later revived the Hastings plan is proved by the letter of J. A. Roberts, who was in Houston at the time Davis was there in 1864. He writes that "Terry has represented to Davis that 'if the road was opened to California he (Davis) could get in California an army of from 20,000 to 30,000 men.'" It is evident that Davis had as much confidence in the

Knights of the Golden Circle being able to supply the men as Hastings had.

A War-Time Romance

It is interesting to find, amidst the dry military records of the time, a veritable romance. Reference has already been made in the article to Dan Showalter and the capture of his expedition in November, 1861. After being in prison at Fort Yuma for some months he was released, on what date is not clear, but he again appears in the records in the guise of a lover.

As previously noted, Arizona and New Mexico, and Texas as far as El Paso, had already been recaptured for the Union during the year 1862 by the California Column under Colonel Carlton. In January 1865, writing from Mesilla, Arizona, Carlton reports that one of his scouts had killed the notorious rebel spy, Skillman, and that on his body he had found a letter, which he forwards with other military papers, from Dan Showalter addressed to one Miss Anna Foreman. The letter had been evidently given to Skillman in the hope he would forward it by some friendly hand to California. The army officer notes dryly at the bottom of the letter: "This Anna Foreman is the daughter of Col. Ferris Foreman, formerly in command of Camp Drum in Los Angeles." Referring back in the records, we find this to be a fact. Col. Ferris Foreman was in command of the district of Southern California for some months in 1863, and he was suddenly relieved, and henceforth his name appears no more in the records. Showalter's letter to Col. Foreman's daughter indicates that he had just heard of the colonel's withdrawal from the service.

This letter is a very human document and a revelation of war-time psychology—a love letter from a northern born man who was devoted to the cause of the Confederacy—a man who though he had taken the oath of allegiance under duress, had ignored it and joined the Confederate Army—a man who had killed his enemy in a duel over a point of honor. At the time it was written, Showalter was at San Antonio, Texas, and had been in command of a regiment of cavalry operating along the border of Indian Territory.

He tells of his delight in meeting in San Antonio some people from California whom he had known in Sacramento, while a member of the legislature, and among these people was Mrs. Terry, wife of Judge Terry, before referred to. He speaks of receiving from Mrs. Terry "your most welcome message." He continues:

I would have written to you long since, but feared that it might bring you or your parents into trouble if it were known that you corresponded with an "arch rebel" like myself. Silent as I have been, I have often thought of you while walking my lonely beat at night and on the battle field when comrades were fast falling around me.

Pathetic and eloquent is his description of the gallant struggle the South was making:

The noble women of the land, unaccustomed to labor, working day and night knitting, spinning and weaving to clothe our gallant soldiers, taking the carpets from their parlors to make blankets, and surplus wearing apparel to make shirts.

Though even then the fortunes of the Confederacy were waning, he expresses no fear of the result:

Having purchased liberty at such a frightful sacrifice, they cannot be conquered—better that the last man should perish than live the despised serfs of a Northern despot.

Strange words, these, from a Pennsylvanian born and bred! He continues:

The enemy have landed at several places on the Texas coast, but we have determined to lay waste every field, burn every building, and leave to the invaders but the ruin of once happy homes, deserted fields and the mangled bodies of the slain.

Referring to her father's resignation from the service, he says:

I was truly gratified to hear of it. We were always firm friends and it pained me to think that we should be arrayed against each other.

Of himself and his family he speaks dispassionately:

I have never seen cause to doubt the wisdom or justice of the course I have taken. I fear my brothers in Pennsylvania have gone into the Northern army. If so, I can only pity; I have no desire to see them again.

The missive closes with a pleasing but restrained touch of sentiment:

If I had only twenty years to live I would give ten years to see and talk with you for but an hour. I may survive this war; if so, we will meet again, but should I fall you shall have the last kind thought, the last fervent prayer. Yours devotedly, Dan Showalter.

It is the letter of a man of education and fine feeling, and one cannot help hoping that, in some later and happier time, the "arch rebel" and the daughter of the blue-coated Yankee colonel found one another and happiness.

Conclusion

The healing hand of time has been laid on the old fears, and the old hatreds, that once wrung the hearts of the pioneers of the San Gabriel Valley. The decree of Providence, made manifest through the stern judgment of

war, has given us one country and one flag with not a star missing. The men of the Golden Circle were honest and sincere according to their lights. And among the people of the southland none are more devoted to the flag and to the nation than the descendants of the men who misguidedly planned to snatch California from the Union in the day of the past.

**CALIFORNIA IN COMMUNICATION WITH THE REST
OF THE CONTINENT, WITH REFERENCE
CHIEFLY TO THE PERIOD BEFORE
THE RAILROADS:
By Helen L. Moore**

Note: This paper was prepared as a Seminar Report in Pacific Coast History at the University of Southern California, and it is submitted as an example of the work done by seminar classes upon the history of the West.—R. A. V.

Introduction:

It is the purpose of this paper to give an account of the methods by which communication was established and maintained between California, the farthest outpost of both her parent countries—Mexico and the United States—and the home land.

During the Spanish and Mexican periods, the communication was governmental and ecclesiastical rather than personal. As a consequence, there was no great diversity of opinion as to method or route.

With the coming of the American group to California many different opinions showed themselves.

In this paper we shall attempt to give the points of contact established from California to the outside world, the routes over which communication was maintained, the motives for establishment, and change, the men chiefly responsible for each, and a few of the details which may clarify and enliven the recital.

Taking communication to mean oral or written intercourse, there will be but scant mention of transportation for the purpose of travel or trade.

**The Geographic Position of California and
Its Inaccessibility**

In the beginning Nature seemed to have planned that California should not be so easily accessible as to allow man to fail to recognize how great was the prize when once he had attained it. On the remote edge of the continent, California slopes to the Southern Sea from a fine natural defense line of rugged mountains, and basks in the light of the western sun with her back turned to the rest of the continent. From the Sea, winds brought her rains, when Nature saw fit to send them, and she gave back what was left to the Pacific again, through the streams running westward. Strangely, perhaps, the Sierra Nevada rivers took no great interest in what might be seen on "the other side of the

mountain," and as a consequence, cut no deep channels, through which inquisitive mankind could enter the "far country."

Thus fortified, with the mountains to the east and the ocean to the west, California was the last scene of exploration and settlement.

From Mexico City overland to this remote possession of New Spain was a distance of practically 2,000 miles. The frontier of the United States was at a similar distance. In either instance the overland connection presented difficulties and hardships.

Early sea communication from old Mexico was hampered by the dangers of winds and pirates.

At the time of the American occupation, the available sea routes were either from New York southward around South America and up the west coast, or the shortened way, which was by sea to Panama, overland across the isthmus, and by boat again to the California coast. The first, a distance of about 6,000 miles, took from six to eight months to compass, while for the shorter route the time was from one to three months, depending on the vessel and the weather.

Early Spanish and Mexican Communication

As has been said, the general purpose of communication during the Spanish, and later Mexican, régime was to keep a military governmental connection with the presidios, and an ecclesiastical contact with the Missions.

Since California belonged to the *audiencia* of Guadalajara, she naturally received her most important messages from the south. In the latter part of the 18th century, a courier system had been established to connect Alta California and Mexico City.

On the first day of each month a soldier started from San Francisco, traveling along the King's Highway (then called *Camino del Rey*). He paused for an hour at each settlement, gathering as he went letters and messages from each Mission, presidio, and pueblo.

The line of communication extended 1,500 miles, from San Francisco to Loreto in Baja California. From there, the messages were transported across the gulf of San Blas and continued on an overland route to Mexico City.

This mail service was not a thing of the moment, carried on as occasion demanded. It was a definite monthly affair, and also kept to a definite schedule, arriving at and leaving the presidios and missions at a set time.

In the pueblo the mail was handled either by the Alcalde (Mayor) or a regularly appointed postmaster (*el administrador de correos*) who distributed the mail from (*Las Casa O' administracion de correo, las esafeta*) the postoffice.

The *habitado* (paymaster) of the presidio collected and distributed the mail, receiving as his recompense 8 per cent of the gross receipts. This was at no time very large. In the period from 1790 to 1800 the revenue from all of Alta California was approximately \$700.

At a later date (beginning in 1797), much of the mail for Alta California was brought by boat (the Manila Galeon stopped yearly at the ports for nearly 250 years) unless of such a character that haste in delivery was necessary. These messages were usually government documents—*bandos, reglamentos* and *pronunciamentos*—and were carried by courier as previously.¹

New Spain had kept her contract with the northern provinces around Santa Fé for over 200 years by means of pack trains, belonging to the king, which had worn a rut up from Vera Cruz, the port of entry through Mexico City, . . . north along the highlands through San Luis Potosi and Zacatecas to Durango, and thence to Chihuahua and up the valley of the Rio Grande to Santa Fé²—a distance of some 200 miles. Once a year this long line of mules and an occasional *carreta* (ox cart) brought to the Mexican frontier supplies and what word they had from Mexico or Spain.

Occasionally messages were sent on from Santa Fé (particularly after the coming of the Americans to the region of New Spain) along the route of Oñate, down the Gila to the Colorado and across to San Gabriel Mission.

The padres at the Missions at times received communications which came along Anza's route from Tubac to Yuma past the Salton Sea (which they knew only as a marsh) to San Gabriel.

On the question of mail the padres and the military authorities found another point of disagreement. The epistles of the father-president, in particular, to his superiors at the College of San Fernando were, to say the least, bulky. Claiming the privilege of the Church, he insisted that all his messages be carried without charge by the soldier couriers. Father Serra received from the Viceroy of New Spain, in 1773, "this franking privilege for all the friars under his charge."³

1. Guinn, J. M., "Early Postal Service of California," *An. Pubs. Hist. Soc. of So. Calif.*, Vol. IV., 18-26.

2. Paxson, F. L., *The Last American Frontier*, 53.

3. Guinn, *op. cit.*, 19.

At one time the *visitador* insisted upon payment, and Father Lasuen complained that it cost him \$18 to send a letter. In the end the padres won.

Local communication between the Missions was kept up by the use of Indian runners, whenever occasion demanded. Carrying one letter, which probably was the only object of his journey, in the slit of a stick over his shoulder (to keep it safe and clean), the Indian, traveling at a dog trot, covered from 60 to 70 miles a day, receiving as his reward an extra portion of mush (*atolé*) for his evening meal.⁴

The Pacific Mail Steamship Company and Its Forerunners

Since the best way to travel to California was by sea, so it was also the most likely way by which mail should be brought to the western coast.

Before the discovery of gold, California had been a refuge for many Americans who had no particular desire to keep in touch with the world they had left behind them. Like the British "remittance men," of whom there were always several to be found in any settlement along all the American frontier, these Americans had for some unexplained reason severed their connections with family and friends and hoped to lose themselves among a strange people. Whatever mail came was brought in by trading ships which had been a long time on the way. In 1841 the news of President Harrison's death was three months and twenty days in reaching Los Angeles.

The Clipper Ship

Of the sailing vessels, the most unique were the *Clippers*, boats especially constructed, with sharp bow and compact rigging, to make speed. From 1840 to 1855, these ships were used in the trade with China and India. Their usefulness was greatly increased by the discovery of gold in California and Australia. Unofficially the clippers carried mail, and "the increase of speed in ocean travel was especially appreciated by the letter-writing public."⁵ "In 1851 the *Flying Cloud* went to San Francisco from New York in eighty-four days—the fastest trip ever made by a sailing vessel."⁶

After the American conquest, a military mail service was maintained between San Francisco, Los Angeles, and

4. Guinn, *op. cit.*, 20.

5. James, Thos. L., "The Ocean Postal Service," *Century Magazine*, Vol. 43 (Nov.-April, 1891-92), 946.

6. *Ibid.*, 945.

San Diego on a two weeks' schedule. Soldier carriers met half way along the route, exchanged pouches, and returned to their own stations. When the soldiers were discharged in 1848, the service was discontinued.

In the latter part of that year, sailing vessels, which were used in coast-wise trade, carried occasional mails between the cities of San Francisco, Los Angeles and San Diego. These ships made the trips in four or five days, if the winds were right. The masters of the vessels took charge of the mail, turned it over to agents or owners of the shipping houses, and from there it was distributed to those who called for mail.

With the discovery of gold and the consequent increase of immigrants, there was a great demand for regular mail service from the east.

In 1848, the *Pacific Mail Steamship Company* was organized in New York under the direction of William H. Aspinwall. Three small steamers, of a thousand tons each, were constructed to run from New York to San Francisco. The government had intended originally that Astoria should be the western terminus, but the official contract with the Pacific Mail Steamship Company called for a service to San Francisco, while overland connection with the interior of California and Oregon disposed of mail intended for those regions.

The first steamer, the *California*, left New York, October 6, 1848, and after a journey around South America arrived in San Francisco February 28, 1849. Besides mail, it brought the first load of Argonauts, who, hearing of Marshall's discovery after the *California* had sailed, had taken passage to Panama, crossed the Isthmus, and awaited its arrival at the western coast.

Later, the Pacific Mail Steamship Company transferred most of its vessels to the Pacific. The mail was carried to Panama, relayed across on mule-back and reloaded at Panama City for its final trip.

At first, the mail service was monthly, and for this the government paid \$700,000 annually. In 1851 the service was made semi-monthly and the subsidy increased to \$800,000.

The postage rate, when the service began, was forty cents on letters and three cents for papers. The charge on letters to the interior of the state was twelve and one-half cents more. Regularly appointed postmasters were rare, and many good-sized communities were without mail entirely.

The service, particularly for southern California, was very poor. Los Angeles frequently did not receive mail for seven or eight months after it was sent; but Los Angeles, or any other part of southern California, was not mentioned in the contract for service.

Southern California was very much exercised by the indifference with which the ships carried its mail to San Francisco and back to Panama again without unloading it.

A movement was instituted in 1854 for the building of roads which should make an overland mail possible, and appeals were sent to the government to take some action in the matter. The Californians hoped to find some method of mail delivery which would set them free from the dependency upon the Pacific Mail Steamship Company.

Every movement before Congress, however, even that for the trans-continental railroads, was combated fiercely by the Pacific Mail Steamship Company, who feared the loss of their subsidy. If not entirely successful this opposition did, nevertheless, delay immediate action on the overland mails.

Camel Caravans on the American Desert

Considering the urgent appeal from California, Congress heard many proposals for an overland mail, none of which were more spectacular than that for the camel caravans, which was earnestly sponsored by none other than Jefferson Davis, the senator from Mississippi. After several refusals, Congress finally passed a bill for the purchase of camels, appropriating \$30,000 for the purpose.

In December, 1854, the government sent Major C. Wayne to Egypt and Arabia to purchase the camels and bring back drivers. He bought them at Cairo and Smyrna at prices ranging from \$75 to \$300.

Shipped on the naval store ship *Supply*, seventy-five camels and two drivers were landed at Indianola, Texas, February 10, 1857. This herd was divided, one-half being sent to Albuquerque and the other was employed on the plains of Texas and through the Gadsden Purchase.

January 8, 1858, the first caravan of fourteen camels arrived in Los Angeles, under the direction of Lieutenant Beale, having come along the 35th parallel route. The camels had made from thirty to forty miles a day and had been able to go from six to ten days without water. The load which the camels could carry ranged from one thousand to two thousand pounds. While the original plan had been for them to carry mail under the direction of the Adams

Express Company, they were used chiefly for transporting provisions and military stores.

The story of the camel caravans is an interesting as well as amusing one. All of Los Angeles came out to see the arrival. If the spectators found the camels interesting, the same can not be said of the *mule whackers*, whose duty it was to drive them, nor of the soldiers who formed the guard. The camels did not win the respect nor affection of either men or mules. Philip Tedio ("Hi Jolly") and "Greek George," the imported drivers, were the only persons who seemed to understand the camels.

The period of the camel service was not long. For a short time they were sheltered in a corral on the property where C. F. Lummis built his home. They were later sold at auction, were used by two Frenchmen to carry salt in Nevada, and were finally turned out on the desert in Arizona. It is said that a few wild ones may be seen there yet.

The Overland Mail 1851-1869

Various early lines had been established connecting the Missouri frontier with the nearer settlements. The government contracted in 1849 with Woodson to carry a monthly mail from Independence, Missouri, to Salt Lake City. A line was already running between Independence and Santa Fé, while the Great Salt Lake Valley Carrying Company, a Mormon organization, connected those settlements with the east.

To connect with the Salt Lake lines, Absalom Woodward and George Chorpensing, in 1851, made a contract with the United States government to carry a monthly mail service from Salt Lake around the northern end of the Lake through the sinks of the Humboldt and Carson rivers, crossing the Sierra at Carson Canyon to Placerville, Folsom and Sacramento.

In good weather, the distance was easily covered in thirty days. During the winter months, the mails were carried by boat to San Pedro and then taken overland along the old Mormon Trail to Salt Lake.

In the winter of 1856, the mail from Northern California was carried by John A. ("Snow Shoe") Thompson on snow shoes from Placerville to Carson Valley, a distance of ninety miles. Because of the height of mountains and the snow drifts, Thompson was three days in going to Carson Valley, but he made the return trip in two, since it was largely down hill. Ordinarily he carried from sixty to eighty pounds in sacks on his back. Upon one occasion, however,

he made the entire trip carrying a one hundred-pound load. Thompson was working for Chorpenning while he made these trips.

The government paid Chorpenning \$14,000 a year for his first mail service, and later increased the subsidy, but the enterprise did not pay. Because of the difficulties of travel and the losses from Indian attacks, the cost of operating the mail was excessive. The equipment, horses and stages used by Chorpenning was sold later to the Central Overland, California and Pike's Peak Express.

The Adams Express Company, which was suggested to supervise the camel caravans, had, since 1854, been running a stage line from Salt Lake through American Fork, Provo City, Payson's, Summit Creek, Nephi City, Fillmore City, Red Creek, Parowan, Johnson's Springs, Cold Creek, San Bernardino, and El Monte to Los Angeles. From Los Angeles connection was made through San Fernando, Ft. Tejon, Visalia, Pacheco's Pass, Gilroy, and San José to San Francisco. Operating along the same route was the California Stage Company.

While the primary purpose of these companies was staging, they, nevertheless, carried irregular mails, charging usually 50 cents a letter—and promising no sure delivery.

Early California, too, had its era of road building. While the inhabitants of the coast state were importuning Congress to do something about an overland mail, they were not idle themselves. By building roads, they hoped to have everything in readiness to help the mail along. In 1854 the people of Los Angeles raised a sum of \$6,000, which was expended in the building of a road to Ft. Tejon. The job was begun in September and was completed in December of the same year.

The state legislature, in 1855, appropriated \$100,000 for a road through Johnson's cut-off in the Sierras; \$20,000 for a road from San Pedro through Cajon Pass to the State line, in the direction of Salt Lake; and \$7,000 for a road from San Diego over the desert to the Colorado River.

The Federal government at about the same time, appropriated \$50,000 for a road between Los Angeles and Salt Lake.⁷

Everything was ready for the government to provide a definite mail system.

Another contract for a temporary service was granted in 1857 to James Birch to run a mail line from San Diego

7. Cleland, R. G., *History of California*, 60-61.

to San Antonio, Texas. The mail was first carried on pack animals and later in wagons, being quite as long in transit as any freight. The arrangement was merely temporary, awaiting government action on the "Overland-California Mail Bill."

The greatest delay in its passage arose from the contention over land routes and the opposition of the Pacific Mail Steamship Company.

There were three main routes proposed. The first was the northern, Old California route, which had really been proved impracticable by the experience of Chorpenning.

The middle course, and the one most favored by mail carriers, was Beale's route, or the 35th parallel route, extending from Springfield, Missouri, southwest to the Canadian River, down to Albuquerque, and thence west to the Colorado River, crossing the Mojave Desert and entering California over Tejon Pass. There were to be two branches within the State, one to Los Angeles and the other to San Francisco. This route had the advantage of following the general direction of the old Santa Fé trail, and also escaped the severe winter storms. It did, however, cross the desert region, and it passed through the territory of the fierce Apaches.

The southern route escaped the terrors of the northern one entirely and those of the middle way, to a large extent. Its course from Missouri led south through western Arkansas, eastern Texas, and along the border of the newly acquired Gadsden Purchase.

The bill for the overland mail service was passed in 1858 and was immediately put into operation. Following the instructions of the bill providing for the overland mail service, the Postmaster-General of the United States received bids and granted to the Butterfield Overland Mail Company, who had chosen this southern route for their own, the six-year contract to carry mail from St. Louis to California.⁸

The Butterfield Stage line operated over a route 2,881 miles in length, from St. Louis to San Francisco. This line made connection with the railroad from St. Louis at Tipton, Missouri, so while the stage line was said to go from San Francisco to St. Louis, it in reality did not reach to within 160 miles of the latter city.

The time schedules issued by the Butterfield Company show the route of the stages: from Tipton to Ft. Smith,

8. Paxson, *Last American Frontier*, 181.

Arkansas, where a branch line from Memphis connected with the main route to Colbert's Ferry on the Red River, to Ft. Chadbourne, to Franklin (El Paso), to Tucson, to Ft. Yuma, to Los Angeles and from there along the route previously mentioned to San Francisco.

H. D. Barrows, who made his wedding journey by this stage from Los Angeles to St. Louis (and thence to Philadelphia) in 1860, names on the way from Yuma these stations: Gila Bend, Tucson, Apache Pass, Mesilla, El Paso, across North Texas to Ft. Chadbourne, the Fort on "Phantom Hill," Springfield, Fayetteville and Smithton (which he undoubtedly had confused with the name "Tipton").⁹

The government contract with the Butterfield Company called for a semi-weekly mail with a subsidy of \$600,000 a year. Later the service was increased to six stages a week and the subsidy to \$1,000,000, and the schedule was decreased from 25 to 21 days.

On this route mail was transported, with the passengers, in Concord stages drawn usually by four or six mules. Occasionally horses were used. Each stage carried three mail sacks of about 170 pounds and a sack of newspapers of 140 pounds. The postage rate was three cents on each half ounce for letters.

At no time was the business profitable for the government. In 1861 the total revenue was only \$27,000.

The first stage left Tipton September 15, 1858, and arrived in Los Angeles October 7, 1858.

The *Los Angeles Star* at this period said: "The arrival of the overland mail is as regular as the index on the clock points to the hour; as true to time as the dial is to the sun."

This regularity was made possible by reason of the fairly easy route to travel, the efficiency of operation along the way, and the fact that the Indians soon learned to leave the stages alone.

In the operation of the line, good business sense was used by the Butterfield Company. They built stations at a distance of from 10 to 25 miles apart, where relays of mules and fresh supplies were obtained.¹⁰ At the height of its service the company had an equipment of over a hundred coaches, a thousand horses, five hundred mules, and employed about eight hundred men.¹¹

Usually the company furnished its own guard for the stage through particularly hostile country, but at times

9. Barrows, H. D., "A Two Thousand Mile Stage Ride," *Am. Pubs. Hist. Soc. of So. Calif.*, Vol. III, Part 4, Page 42.

10. Barrows, *op cit.*, 42.

11. Cleland, *op. cit.*, 365.

United States troops convoyed the stage. There were, in the early days, several severe attacks, notably the Oatman and Wickenburg massacres. It was the latter, said P. W. Dooner in an account of an overland journey in the seventies, that brought about the subjugation of the Apaches.¹²

The contract between the government and the Butterfield Company was made for six years. During the early part of the war, the Confederates captured a large part of the equipment, and to continue the line at all, the route was changed to the Beale (or 35th parallel) route. Later the eastern terminus was moved from St. Louis to Omaha; and the Central Overland California and Pike's Peak Express purchased part of Butterfield's equipment.

The Pony Express

Northern California had been greatly chagrined by the choice of the southern route for mail service to California. Through Senator William Gwin, she urged that some direct connection be made from the Missouri to the northern part of the State. A New York corporation in 1860 had lobbyists in Washington to obtain a contract for carrying mail from New York to San Francisco in less time than it required for the Butterfield line—with a \$5,000,000 subsidy.¹³ The measure was opposed by Gwin and Thomas H. Benton, the steadfast friend of the west.

W. H. Russell, of the firm of Russell, Majors and Waddell, was in Washington to see about freight contracts. Gwin made a wager with him on the overland mail proposition. Russell offered to carry the mail from the Missouri to Sacramento in ten days, if the wager were \$200,000¹⁴ (one authority said \$10,000).

When he returned to the west, his partners demurred at such an undertaking, but because the firm was known always to fulfil its pledges, they "stood behind" him, and set to work immediately to prepare.

They organized the Central Overland and Pike's Peak Express, with a charter from the State of Iowa. The incorporators were Russell, Majors, Waddell, B. F. Ficklin, F. A. Bee, W. W. Finney and John S. Jones. All the latter had been employees of the old freighting company.

The company took over the old stage line from Atchison to Salt Lake; purchased the mail route and outfit of Chorpennning, which was operating between Salt Lake and

12. Dooner, "From Arizona to California in the Early 70's," *An. Pubs. Hist. Soc. of So. Calif.*, Vol. III., Part 3., p. 3.

13. Guinn, "The Pony Express," *An. Pubs. Hist. Soc. of So. Calif.*, Vol. 5, 168.

14. *Ibid.*

Sacramento; and absorbed the Leavenworth and Pike's Peak Express (for passengers and freight). The route was divided into three sections; the eastern from St. Joseph to Salt Lake was managed by Russell. Ficklin was stationed at Salt Lake and Finney at San Francisco.

Quietly and without fuss, inside of two months, everything was ready. April 8, 1860, the race started. The rider reached Sacramento just in time to claim the wager. The mail service was established.

Regular weekly mails were carried thereafter over a well defined route between St. Joseph and Sacramento for sixteen months. There was no government subsidy for this mail service.¹⁵

The route of the Pony Express traversed largely that of the emigrants to California: From St. Joseph across the Missouri, southwest to the old military road, forty-five miles away, at Kennekuk, north and west across the Kickapoo Indian Reservation, by the way of Grenada, Logchain, Seneca, Ash Point, Guittard's, Marysville, Hollenburg up Little Blue Valley to Rock Creek, Big Sandy, Liberty Farm, over prairies to Thirty-two-mile Creek, across the divide, over sand hills and prairies to Platte River, and due west up that valley to Fort Kearney. From Fort Kearney it led 200 miles "along the Platte to old Julesburg, then across the South Fork of the Platte northwesterly to Fort Laramie, then over the foothills at the base of the Rockies to South Pass, by Fort Bridger to Salt Lake."¹⁶

From Salt Lake the mail was carried on by riders who made a trip out from Sacramento, the western terminus. This line went from Salt Lake to old Camp Floyd in Rush Valley, to Deep Creek, Ruby Valley, Smith's Creek, Ft. Churchill, Reed's Station, Dayton, Carson City, Genoa, Friday's Station, Placerville, Folsom, and Sacramento. From Sacramento connection was made by boat with San Francisco. All mail for Oregon, Washington Territory, British Columbia, the Pacific Mexican ports, Russian possessions, Sandwich Islands, China, Japan and India was re-mailed in San Francisco.¹⁷

Russell, Majors and Waddell had established a highly efficient system for the operation of the Pony Express.

One hundred and ninety stations were established at intervals of ten miles, where the relays of horses were kept

15. Cleland, "Transportation in Cal. Before the R. R.," *Am. Pubs. Hist. Soc. of So. Calif.*, Vol. XI., 66; Bradley, *The Pony Express*, 167.

16. Visscher, *The Pony Express*, 34.

17. Advertisement published March 26, 1860, in the *New York Herald* and *Missouri Republican*, reprinted by Visscher, *The Pony Express*, 29.

and the rider could obtain food. Two hundred men cared for these stations, while there were eighty riders. Each rider was to make three stations during the ride—a distance of thirty-three and one-third miles according to Visscher and Inman.¹⁸ J. M. Guinn¹⁹ in his account says the regular distance for one rider to accomplish in eight hours was seventy-five miles. He is probably basing his account on Bradley.²⁰

About five hundred horses, ranging from a cayuse of the prairies to an Iowa thoroughbred, were used along the line. The horses were chosen for lightness and speed, and were so well cared for that they should be ready for any extra spurt if it became necessary. Horses were changed every ten miles.

Like the ponies, the riders, too, were chosen for light weight and particularly for courage and trustworthiness. It was said that pony express riders were of a higher type of plainsmen. Russell, Majors and Waddell were themselves of the finest kind of frontier business men. No one was required to work on Sunday whenever it was possible to avoid it.

This could not hold true with the Pony Express rider. The oath required of those employed by them as pony express riders is characteristic of the men:

I, _____, do hereby swear, before the Great and Living God, that during my engagement, and while I am an employee of Russell, Majors and Waddell, I will, under no circumstances, use profane language; that I will drink no intoxicating liquors; that I will not quarrel or fight with any employee of the firm, and that in every respect, I will conduct myself honestly, be faithful to my duties, and so direct all my acts as to win the confidence of my employers. So help me God.²¹

The riders, besides being of light weight, averaging 125 pounds, rode lightly also. They carried no unnecessary equipment, and even their clothing was fashioned to suit the occasion, if one might believe Mark Twain in *Roughing It*, spoken of as an excellent contemporary account; but because of the discrepancies relative to the arms carried by the riders, this statement, too, may be exaggerated. Twain says they carried no arms at all, relying entirely upon speed for protection. Visscher says they were limited to a revolver and a knife.²² Bradley in quoting directions given newly hired riders said they carried, at first, a rifle slung from the saddle and a Colt's revolver, but later dispensed

18. Visscher, *The Pony Express*, 25.

19. Guinn, "The Pony Express," *Am. Pubs. Hist., Soc. of So. Calif.*, Vol. V, 173.

20. Bradley, *The Pony Express*, 102.

21. Visscher, *op cit.*, 28; Bradley, *Pony Express*, 52.

22. Visscher, *op. cit.*, 28.

with the rifle when they discovered how it was possible for them to outdistance the Indians.²³

In order that the mail, also, might not be cumbersome, all letters were written on a specially prepared tissue paper. The letters were placed in oiled silk, sealed, and placed in a locked pouch (called a *mochila*) which swung from the saddle, and was opened only at the military posts—Forts Kearney, Laramie, Bridger and Churchill and at Salt Lake City. (This is the only instance of the mail of early period being carried in a locked case.) The maximum weight of mail was 20 pounds.

The rate charged for the transportation of the mail was at the inception of the project, \$5 for each half ounce. Consequently, only important business communications were sent. On the first trip to the west, eighty-five letters were carried.²⁴ Toward the end of the service of the Pony Express, the rate was reduced to \$1.50 (Visscher says \$1.00) per half ounce.²⁵ Even at this rate, there was no profit in the undertaking. The riders received from \$100 to \$125 per month.

Several of the riders of the Pony Express were well known in pioneer history. Johnny Fry made the first trip from St. Joseph, "Pony Bob" Haslam and Buffalo Bill Cody rode the greatest distances at "one stretch"—380 and 384 miles—and William Pridham, said to be the last survivor of the group, died in Alameda, November 14, 1923.²⁶

The service of the Pony Express to the west chiefly provided a romantic episode, but it did make possible a mail communication from the Missouri to the Pacific in less than half the time (21 days) required by the Butterfield Stages. The record time made by the Pony Express was in delivering Lincoln's Inaugural Address, which reached San Francisco in 7 days and 17 hours. While it did not include "Los Angeles as one of its terminals," the Pony Express greatly shortened the time required to communicate

23. Bradley, *op. cit.*, 56.

24. Bradley, *op. cit.*, 47.

25. Guinn, "Early Postal Service of Cal.," *An. Pubs. Hist. Soc. of So. Calif.*, VII., IV., 25.

26. ("Pony Bob") Haslam, ("Buffalo Bill") Cody, Harry Roff ("Boston"), Sam Hamilton, Jay G. Kelley, H. Richardson, George Thacher, Johnny Frey, J. H. Keetley, Alex Carlyle, Gus or Chas. Cliff, Melville Baugh, Jim Beatley (Foote), Will Boulton, Don C. Rising, ("Little Yank") Hogan, Theodore Rand, James Moore, Bill Cates, James W. Brink, Will D. Jenkins, W. S. ("Tough") Littleton, John Sinclair, Bollivar Roberts, Sam and Jim Gilson, Mike Kelley ("Black Sam.") Jim and Bill McNaughton, Bill Carr, H. J. Faust ("Irish Tom"), Jose Zowgaltz, Jim Clark, George Spurr, Henry Wallace, George Towne, Jim McDonald, William James, John Burnett, Jim Bucklin, Wm. Carrigan, Major Egan, J. K. Ellis, John Fisher, Jim Gentry, ("Let") Huntington, James William, Bob Martin, J. G. McCall, Josh Perkins, Johnson Richardson, Bart Riles, Dan Wescott, William Pridham, John Seebeck, Jack Slade and William Stroh.

with the east and naturally, if indirectly, benefited the Southland.²⁷

With the final completion of the telegraph line from Kearney to Carson City (the latter place had been in telegraphic connection with San Francisco for some time), the Pony Express had fulfilled its purpose and was officially discontinued October 7, 1861. The Butterfield Stage and the Pony Express were the only routes to keep up a regular service all the year round.

One of the most interesting incidents in the history of the Pony Express was the celebration held in September, 1923, when the race was run again. A cowboy team made the trip from St. Joseph along the old line, stopping at the old stations as nearly as they could be found. Leaving the Missouri on August 31, the last rider, carrying mail, arrived at Sacramento about 8 o'clock of the evening of September 8. One of the riders, on the last lap, was John Seeback, one of the original Pony Express riders.

The ride was started by President Coolidge's pressing a button in Washington (an item not historic) and passed through six celebrating states, while for all Americans who care at all for the past, the famous express was again in action. Each rider was presented with a gold medal, embossed with an express rider on his horse, symbolic of the deed and the anniversary.

The Telegraph

The earliest telegraph in California was one established in the fall of 1853 between the Golden Gate and San Francisco to report the arrival of vessels. Shortly after this, a line was completed between San Francisco, Sacramento, Stockton and San José.

Early in May or June, 1860, R. E. Raimond, president, and Fred J. McCrellish, secretary of the Atlantic and Pacific Telegraph Company—which had been organized in 1858 to reach San Antonio and Memphis—came to Los Angeles to promote a line from San Francisco and to Ft. Yuma. Stock was subscribed in Los Angeles.

In a very short time, Banning had fifty teams hauling poles and depositing them ready to be set. The line was to have been completed by July 4, but there was not enough wire, so work had to be discontinued. By the middle of

27. The Pony Express used a stamp of its own, with a Wells Fargo label. An interesting bit of the human in the express was the habit of putting news of the day on the outside of the letters so everyone along the route could hear something.

August, twenty tons of wire were sent out from the east by a *clipper* around the Horn. The wire arrived, ultimately.

On October 8, 1860, the line was finished. Los Angeles celebrated the event royally. At 8 p. m. Mayor Henry Miller sent this message to the Mayor of San Francisco:

Allow me, on behalf of the citizens of Los Angeles, to send you greeting of fellowship and good feeling on the completion of the line which now binds the two cities together.²⁸

In February, 1861, dispatches received on the Butterfield Overland Mail were telegraphed from Los Angeles to San Francisco, arriving before the Pony Express.²⁹ There was great rejoicing over "beating" the Pony Express.

The telegraph line was constantly out of repair. Between February and July, 1861, there was practically no communication between the two cities.

In this period all of the companies of the State were consolidated into the California State Telegraph Company.

There were no lines to Santa Barbara nor San Bernardino, and it was not until the spring of 1870 that one was opened to San Diego.

The first transcontinental telegraph was begun in 1858. Edward Creighton, who had built many lines in the east, made the overland journey to California in 1860, to urge the completion of the transcontinental line, and consolidation with the association of the California company. He found the Mormon leader, Brigham Young, keenly interested, and the California company was, *at least*, willing to enter into competition.

The Western Union Company made a preliminary survey and the line was decided upon.

Spurred on by the offer of a government subsidy of \$40,000³⁰ to the company first completing a line from Omaha to Sacramento, "the Creighton forces" and the California company raced—one from the east and the other from the west—to be the first into Salt Lake City. The Creighton group had to build 1,100 miles of line, the California company 450 miles—over country equally hard. The line of Creighton was built into Salt Lake City October 17, and that of the California company a week later. It had taken a little more than six months to construct the whole line.

October 24, 1861, the first message was sent:

28. Newmark, *Sixty Years in Southern California*, 283.

29. Cleland, *History of California: American Period*, 367.

30. Visscher, *The Pony Express*, 69.

The Pacific to the Atlantic sends greeting, and may both oceans be dry before a foot of all the land that lies between them shall belong to any other than one country.³¹

By 1870 the Western Union had taken over most of the lines, including the California company. Its greatest task was to repair lines and get the system into a usable shape.

When the telegraph was first established between Los Angeles and San Francisco, the rate for *ten* words was \$1.50 and 50 cents for the next *five* words. Later the price was reduced to \$1.15 for the first ten and 25 cents for the extra five words.³² During the war, the citizens of Los Angeles subscribed \$100 a month for *daily* dispatches of events.³³ In February, 1871, B. L. Pell and Company, commission agents, installed in their offices the first private telegraph line in Los Angeles. It was not until early in the 80's that Los Angeles dailies could afford regular, direct daily telegrams.

While from the entrance of the Western Union to the California field in 1870, that company has held the most dominant position in the telegraph business, there are at present two other successful companies handling telegraphic communication—the Federal Telegraph Company, established in 1910,³⁴ and the Postal Telegraph, established in 1886.

Ben Holladay and Other Successors of the Pony Express

During the last three months of its existence, the Pony Express had been paralleled by a daily stage. This was the line of Ben Holladay.

The Pony Express had been such an expensive project that the company of Russell, Majors and Waddell had found it necessary to take out heavy mortgages on their holdings. The notes were held by Ben Holladay, who took over the property by a court decision in 1862. He had maintained a stage mail service between Salt Lake and San Francisco since 1851.³⁵ In 1857 he had a ten-year mail contract.

Holladay's stage express was "the greatest one-man institution in America."³⁶ He easily controlled a monopoly of the express business, but not without effort and sacrifice. During the last years of the service the Indians along the Platte were particularly trying. They seemed to realize

31. Paxson, *The Last American Frontier*, 185.

32. Newmark, *Sixty Years in Southern California*, 401.

33. Willard, *History of Los Angeles*, 302.

34. Newmark, *op. cit.*, 643.

35. Hunt, R. D., *California the Golden*, 384.

36. Paxson, *op. cit.*, 187.

that the end of their dominion was near. Even the soldiers stationed along the line of the stage service did not deter them. Often it was impossible for stages to go through for weeks at a time, and upon one occasion all the stations on the line were destroyed, the stock stolen and the men killed.

Even in the face of this Holladay persisted. He controlled all the local stage lines running to Oregon, Idaho, and Montana, and bought out his nearest rival, the Butterfield Overland Dispatch in 1886, on his own terms. At the height of his business he controlled 3,300 miles of stage lines.³⁷

The government granted Holladay an annual subsidy of \$1,000,000 for delivering all mails between Atchison and Sacramento. Letters were carried for 50 cents apiece, and delivery was uncertain.³⁸ Stage fares were high and accommodations were very bad, according to the account of Captain James L. Fiske and others.³⁹

Ben Holladay himself was a typical pioneer—"illiterate, coarse, pretentious, boastful, false and cunning."⁴⁰ By traveling constantly over his lines, he kept the close personal contact necessary for absolute control. He knew the conditions of his own line and of all others—better than their owners did. As a result, he wisely sold out his interests to his nearest competitor, the Wells Fargo Express Company, in November, 1866,⁴¹ for \$1,500,000 in cash and \$300,000 worth of stock in the company. Besides this, Wells Fargo and Company paid about \$600,000 for the hay, feed, and provision of Holladay.⁴²

The Wells, Fargo Express Company

The story of the Wells, Fargo & Co. Express would of itself make a long report, but in this instance only brief mention will be made, placing the company's activities, chiefly, at the point just before the completion of the railroads.

Shortly after the discovery of gold, this company was doing business at "the diggings," transporting the "dust" out and bringing in supplies. During the years 1860 and

37. Cleland, *History of California: American Period*, 268.

38. Statement of Mrs. Matilda Saeger Delany (foster daughter of Marcus Whitman) before the Historical Society of So. Calif., Nov. 11, 1924.

39. Paxson, *op. cit.*, 188.

40. Henry Villard.

41. Visscher, *op. cit.*, 21.

42. Inman and Cody, *Old Salt Lake Trail*, 223.

1861, Wells, Fargo & Co. was shipping out about \$12,000 in gold every month.⁴³

With other large firms they had closed their doors during the panic of 1856. When the panic was over they again renewed service. At times they made contracts with the overland stage lines, like Chorpennig's and Butterfield's, to carry the express. At other times they maintained their own stage lines. The Wells Fargo agent was a conspicuous citizen in every community,⁴⁴ and the theft of the Wells Fargo strong boxes was the favorite theme of the writers of dime novels.

When Wells, Fargo & Company bought out Ben Holladay in 1866, they also took over the Pioneer Stage and the Original Overland Stage lines. A government contract for \$1,750,000 to carry the mails was made with Wells, Fargo & Company in 1868. Both the route of the Pony Express and of the Butterfield Overland Mail were used. Wells, Fargo & Company used their own stamp and guaranteed service a few hours earlier than government dispatch. The rate was three cents per letter.⁴⁵

At the time of purchasing Holladay's line, the Wells, Fargo had thought the Pacific railroads would be longer in building than they were, and as a consequence lost heavily.

During the last few months of the company's run it was making connections only with the ends of the railroad, approaching each other more closely each day. When the railroad was completed in May, 1869, the day of the overland express was over.

The Pacific Railroads

Dissatisfied with the mail service they received, the citizens of the mining camps were largely responsible for the clamor for national transportation on a large scale.⁴⁶

As early as 1832 the movement had been begun for a transcontinental railway. In 1845 Asa Whitney was bringing pressure to bear on Congress for a route from Michigan to Oregon. Beginning under the able direction of Secretary of War Jefferson Davis, in 1853, surveys—at first desultory and experimentive, and later definite and purposeful—were carried on until 1861.⁴⁷ The work was rather thor-

43. Willard, *History of Los Angeles*, 302.

44. Newmark, *op. cit.*, Index.

45. "Notes on the Early History of the Nebraska Country," *Pub. Ncb. Hist. Soc.*, XX, 315.

46. Paxson, *op. cit.*, 172.

47. Visscher, *op. cit.*, 75.

oughly pursued from the Mississippi Valley and the Pacific, and almost from the Canadian line to the Mexican border.⁴⁸

In July, 1862, the bill became a law which provided for "a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for *postal*, military and other purposes."

A government subsidy of \$50,000,000 supplemented by a similar bond issue, enabled the road to be built in record time, despite hardships and the great distance which supplies had to be transported.

The bill of 1862 called for a road from Omaha along the 100th meridian between the Republican and Platte rivers to the eastern boundary of California, there to connect with the line of the Central Pacific of California. In practice, the Central Pacific built the road on east, meeting the Union Pacific line at Promontory Point (near Ogden), Utah. Ground had been broken at Omaha November 5, 1865, and the last spike was driven at Ogden, May 10, 1869.

The contest over the selection of a route had been determined largely by the war. While the southern route, following to a large extent the line of the Butterfield stages, would have presented the fewest problems of construction, the fact that it was the choice of Jefferson Davis, as well as the question of maintaining it during the war, determined its being dismissed from consideration, and the choice rested on the line urged by Senator Thomas H. Benton of Missouri.

Ultimately, the railroads to California have traversed the three main lines of early transportation; the Union Pacific following the old emigrant trail; the Atchison, Topeka and Santa Fé, follow along the old Santa Fé and Spanish trails; and the Southern Pacific approximating the old Butterfield line.

After 1869 the major portion of the mail was carried by the railroads on government contract.

General Modern Communication

The Telephone

The first telephones were used in California in 1882. At first they were not particularly popular. Subscribers said the noises of the street made it impossible to hear over

48. Cleland, *op. cit.*, 375.

the telephone. The first complete transcontinental telephone line was finished during the Panama Pacific International Exposition at San Francisco in 1915.

The Wireless

Wireless connections were established between the mainland and Catalina Island in August, 1902. In 1911 connection was made with San Francisco, and with Honolulu in 1912.

Automobiles and Highways

When automobiles were introduced into California in 1903, few believed they were more than a passing amusement. But time has proved them one of the greatest factors in both local and national transportation.

A series of paved highways, reaching the highest point in the Lincoln Highway across the continent, completed in 1912, have proven the usefulness of the automobile. Freight is carried extensively by trucks, but the only mail connection is through the transportation of rural free delivery.

The Air Mail Service

A survey of communication between California and the rest of the United States would not be complete without a glance at the most recent form—the air mail service.

Very shortly after the end of the Great War, airplanes were used for transporting mail, between local points; for three years it has been so successful that the government felt justified in establishing a transcontinental-continuous daily mail service to connect New York and San Francisco.

On July 1, 1924, this line became a reality—with a continuous flight service, day and night. Great arcs have been constructed to light the path of the planes, so that night flying is possible.

The distance from New York to San Francisco is 2,690 miles. The mail schedule is: Eastbound 32 hours 5 minutes, westbound 34 hours 45 minutes. Emergency landing fields are established about every twenty-five miles, with regular ones every 250 miles. Special long-distance telephones have been constructed to serve the air mail pilots.

The government has appropriated \$2,500,000 to carry on the air mail for 1925. Rates on letters are according to zone, the zones being marked at Chicago and Cheyenne. In the first zone, the rate is 8 cents, in the second 16 cents, and in the last 24 cents. Special stamps have been issued

for the air mail, and permission was given stationers to make a special envelope with a three-quarter inch red, white and blue stripe extending horizontally across the middle of the envelope. This is to expedite the handling of the mail.

November 11, 1924, the size of packages allowed to be carried by air mail was increased from 30 inches to 84 inches in girth and length combined. A registry fee at the rate of 10 cents is required for registered mail besides the regular postage. Securities of non-negotiable variety are received, but no coin, currency, or easily converted securities will be carried.

At present, November 14, 1924, there are ninety-four airplanes and eleven pilots in the New York-San Francisco service.

The air mail service found a ready reception with business men, in particular, because in saving time in business communication they also save money.

Connection is made by rail to post offices not along the transcontinental line. Los Angeles receives the New York mail in 54 hours and 15 minutes. There is an active movement afoot to have a direct air line from Salt Lake to Los Angeles. Congressman Fredericks introduced a bill to that effect into Congress on December 3, 1924.⁴⁹

Los Angeles bases its arguments on three grounds: first, Los Angeles is the largest city of the west and should be the terminus of the air line; Secondly, the air mail shipped from Los Angeles is sufficient to warrant a direct line—often being 100 pounds a day; and lastly, the old argument for the Southern Pacific Railroad—that a southern route avoids the storms. Fact would substantiate this argument, for the air mail has already been delayed as much as six hours by a snow storm.⁵⁰

Air mail has already arrived in California from Germany, and while London talks of a direct line to Chicago, Congress has already heard pleas from Congressman Fredericks and others on a Los Angeles to Honolulu air mail.

Summary

From the distant land of California, which was known to the people of the Atlantic seaboard and of Europe as the far away land of gold, adventure and romance, to the California of the present day when a voice carries instantan-

49. *Literary Digest*, June 14, 1924; July 5, 1924; December 13, 1924.

50. *Los Angeles Times*, Oct. 19, 22, 23; Nov. 11, 14; December 3, 4, 9, 1924, et al.

eously across the wire from New York to San Francisco, is a far cry.

Eager to keep in touch with the world he had left behind, the Californian tried every means within his power to bridge the distance. His mail was carried by man on foot and horseback, by clipper sailing vessel and steamer, by stage and railroad, and lastly by airplane.

It took man great eons of time to learn to convey his thoughts in any form to the next generation in his own locality. For centuries Europe knew its neighbors only by military contact. The colonists of the Atlantic coast were two hundred years arriving at the point of using a locomotive to transport their mail.

In little longer than Van Winkle's sleep, California has passed from a period of practically no touch at all with the outside world to a one-day mail across the continent.

Considering the past one is breathless in contemplation of the future.

DIARY OF MISS HARRIET BUNYARD

From Texas to California in 1868

INTRODUCTORY NOTE:

This Diary was written while crossing the plains by Miss Harriet Bunyard. The writer died at El Monte in 1900.

At the time the diary was written she was a girl of 19 years.

The immediate Bunyard party was composed of Harriet's father, Larkin S. Bunyard, her mother, Frankie Stewart Bunyard, and three sons, Beal, 25 years of age, Dan, 19 years, Oscar, 12, and three daughters, Fannie, aged 9, Josephine, 15, and Harriet, the writer of the diary.

The Diary, though written in pencil in a note book, has been carefully guarded by Fannie Bunyard (now Mrs. Lewis of El Monte) and was copied in pen and ink some years ago. It was somewhat dim in places, but with the aid of a magnifying glass, every word has been completely identified.

The accompanying map shows the route taken, with dates of arrival marked.

PERCIVAL J. COONEY.

Collin County, Texas,
April 29-30, 1868.

Have almost completed our preparations for the much-talked-of journey. Friends and neighbors have been so kind in assisting us. Long will they be remembered.

May 1st:

Bid a kind adieu to my much loved Texas home. Although the road was very muddy we had a pleasant drive. Long will it be remembered. Arrived at Uncle Stewart's in the evening, twelve miles distant. Will remain here until Monday, this being Saturday.

May 3rd:

All in fine spirits. Started early—traveled fifteen miles; crossed the west fork of the Trinity and Little Elm. Had no trouble; camped on a high beautiful prairie. Passed over a broken, hilly country. Two men were hung near the camp the evening before and were said to be still hanging; were hung for stealing.

May 4th:

Started early, traveled over a beautiful, sandy prairie, arrived at Pilot Point about 12, stopped and ate dinner and purchased some necessary articles. Had some photographs taken. Fred Turner insisted that some of the girls should stay with him, said he had no companions but no one would take pity on him and stay. Left town about 3 o'clock. It

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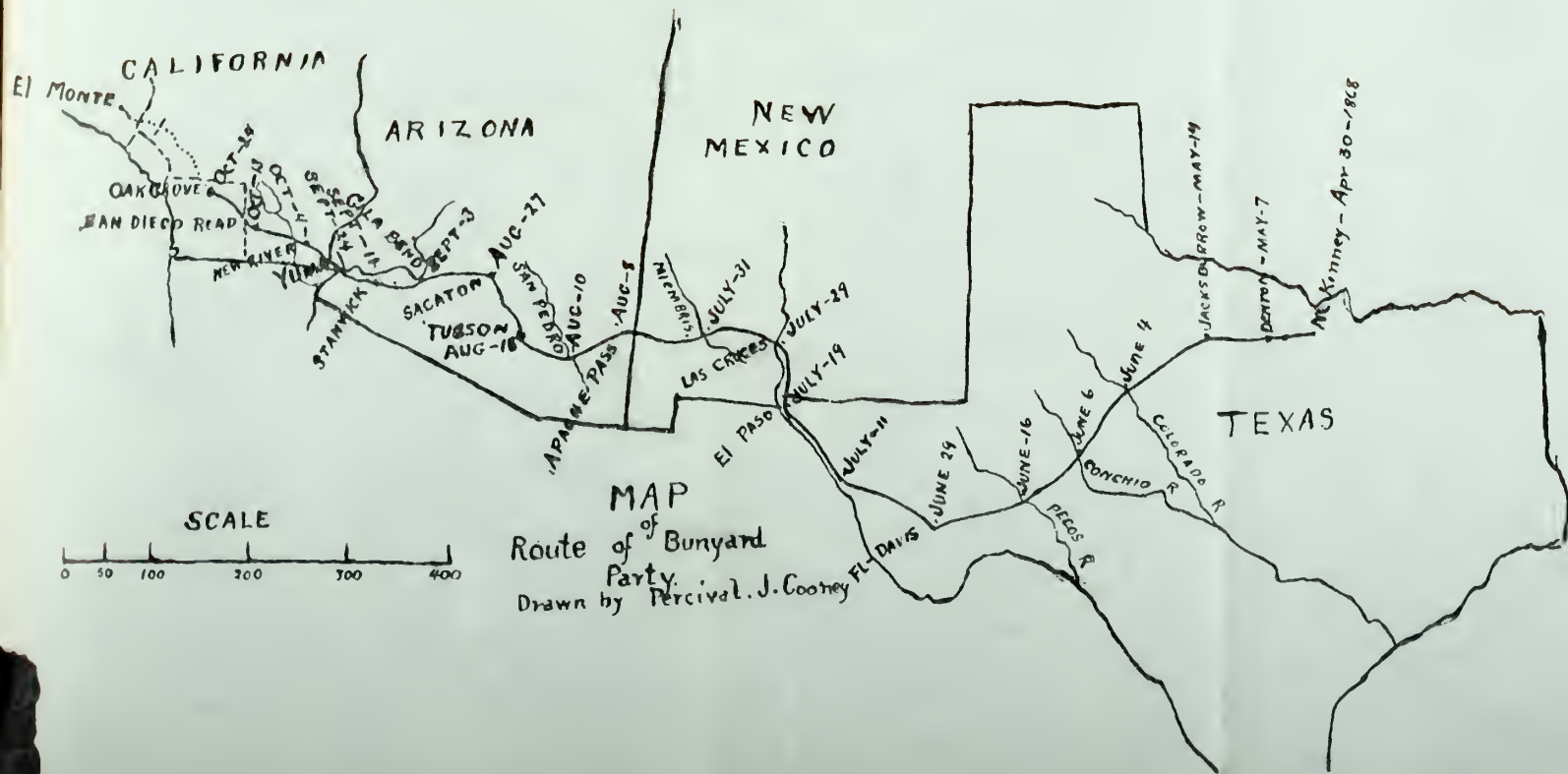
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was rather dusty, being sandy soil. Splendid water there. Crossed a small creek. The road was very rough but all made it safe through. Passed through the cross-timbers; they have a picturesque appearance—part oak timber with small prairies. Crossing was good across Big Elm. Camped upon the prairie. 'Twas dark when we camped; everybody tired. Traveled eighteen miles.

May 5th:

All ready—waiting for some immigrants who camped on the other side of the creek. They are from Arkansas. Four wagons, two hacks, 10 men—making in all 10 wagons, four hacks and 20 men. This is a lonely looking place, several small houses in sight, red sandy soil. Traveled seven miles, crossed Duck Creek, stayed to eat dinner. It is very pretty stream, rocky bottom. Just ready to start when Stewart's wagon tongue got broken, we made another, went two miles, camped by a little branch near Boliner. Stayed one day, went fishing with one of the ladies living near Boliner, caught some small fish. Would not like to live here. Sold some things that we started with in order to lighten our loads.

May 7th:

Denton—Two more young men joined the train making 22 men. Crossed Clear Creek, passed two vacant houses, suppose the Indians were the cause of them being left. Came to Denton Creek, there had a little bad luck, a wagon turned over but no serious damage done. Went two miles farther, and camped by a little branch, here the water falls 15 feet from beautiful shell rock. Trees growing down there with their tops just even with the level of the land. Such a good place for Indians to hide. Passed two vacant houses, they look very desolate. The country has a wild appearance.

May 8th:

Quite a pleasant wind blowing from the east this morning. Started early, traveled 21 miles over such a rough road through very thick post oak timber. Came in sight of government mills, there at a branch we found a broken wagon loaded with very large cotton-wood log, pried the log off and took the wagon away. Passed over in safety. Here are quite a number of small houses all made with the plank standing on one end also covered with plank. They are all close together and form quite a romantic appearance. Camped near by in the timbers. Stood guard to-night. Now I wish there were no wild Indians.

May 9th—Sabbath Morn:

What are my friends in Collin doing this morning, going to church I will suppose. Started and drove two miles to water for the stock. Have camped in very nice place. Will remain until Monday. Every appearance of rain, all hurrying to get tents stretched and fixed before rain. One lonely looking little house in sight, the people that live there are part Indian. Eight more wagons with 10 men joined us this morning. They were camped at Decater waiting for company. Appointed Uncle Stewart captain of the train.

May 10th-11th:

Rain prevented us leaving until Tuesday when we drove 14 miles, passed where there had been a little village but was but one family there. All left on account of the Indians. The country is very broken. High hills covered with large rocks that look like houses in the distance. I am now sitting on the hillside while the clear notes of the whippoorwill is singing in the still twilight evening—when a memory of the past comes o'er us.

May 12th:

Came seven miles and camped in a small prairie surrounded with timber and high hills. We went to the top of one of the hills and found many curious rocks. The top was almost covered with level rocks while on the sides were great stacks that looked like they had been placed there by the skill of man. Crossed west fork of the Trinity—had no trouble crossing.

May 14th-15th:

We are now camped by a nice, clear branch and good spring up on a hill. Splendid cold water. Jacksboro is in plain view. Federal's quarters are nicest part of town. Elm and Mesquite timbers, sandy soil with rocky hills is general appearance of the country. Mostly timber except small prairies. The people here are kind and accommodating. It is reported that there has been some Indians seen not far off, but we have not seen any. Some of the girls went up town today, others went fishing, but did not catch many. Two of the Federal officers visited our camp—nice looking men. They say if we stay here until the evening of the 16th that they will visit us with their brass band.

May 16th—Sabbath Evening:

We have traveled about 15 miles today. Passed through Jacksboro and over a very rocky road. It is quite a romantic looking country. High hills as far as I can see,

covered with small timber and large rocks. Oh! how it did rain and blow last night. There is a very cold northwest wind. Several families from Denton County have overtaken us. There are now 45 men in this train.

May 17th:

Two men passed by camp last night going after the doctor for some wounded men that had been in a fight with the Indians. There were 12 men out herding stock—no firearms but pistols and 50 Indians dashed down on them. Killed two men and wounded five. One of the wounded died this evening. Killed every one of their horses. This fight occurred five miles above where we are now camped. The men that were wounded are at a ranch about one mile from our camp. Several of the boys went to see them this evening. They suffered so much before they had any attention. Suppose the rest of the wounded will get well. The stage passes from Belknap to Jacksboro, the distance of 38 miles, and is guarded by five Indians of a friendly tribe. They look so Indian-like with two large rings in each ear and beads strung all about them. Traveled 15 miles today over nice road and beautiful prairie.

Young County, May 18th:

One yoke of oxen was missing this morning, therefore we have moved only one mile to better range. An old vacant house here and very good water. Found the oxen but too late to go any farther so will remain until morning.

May 19th:

Started late—traveled 10 miles. Passed Fort Belknap. The houses are very much delapidated here. Many chimneys standing alone. Not more than six families living there. It is a very pretty place for a town if it was only improved. Crossed Brasos river; it is a beautiful stream with no timber immediately on its banks. Live oak and mesquite and elm with sandy soil is general appearance of the country, with the greatest quantity and very good variety of wild flowers. Some of the most beautiful. Camped about three miles from town. It is 35 miles from Belknap to Fort Griffin.

May 20th:

Detained again on account of stock. Some of the boys caught some very nice fish in the Brasos. Started after dinner, went six miles. Camped in nice place in small prairies, surrounded with post oak timber.

May 21st:

Very warm and cloudy morning. Started early, made a drive of 17 miles; splendid road. Had nothing but branch water and it was warm, not clear. The Collin County boys killed an antelope this evening—the meat resembles that of a kid.

May 22:

Camped one mile from Fort Griffin on east side of clear fork of the Brasos. It is a pretty stream with large pecan timber on the banks. I think we will get some nice fish here.

May 26th:

Will leave here this morning; passed away the time very well since we have been here. Sabbath morning we hitched up our ambulances and drove to the fort. Federals have very nice quarters there. The citizens' houses are very inferior, small log huts. Have splendid spring water here. Indians have caused more disturbance for the past five months than for several years. Little girl living here that the Indians took and kept eight months. Her friends bought her. Whilst they had her they picked a round ring of powder in her forehead as large as a ten-cent piece. It makes a black ring and cannot be taken away. Suppose they done it that they might know her again. They had her little sister but would not sell her. Her friends think they will sell her this year. The other little girl said that they were very kind to her. The Indians killed their mother when they captured them. In our drive Sabbath morning we went one-half mile from the fort to where we camped considerable number of Tonk Indians—was but very few that could talk English. Their little huts were covered with hay and dirt and doors just large enough for one to pass through. They were all busy at work. We then called at Miss Campbell's. Spent an hour—went back to camp; here we got plenty of pickles and beans to do us through. We also had some fish from the river Wednesday morning. Will start this morning. Got late start but everything was rested and we traveled 18 miles over rough rocky road. We have splendid camping place this evening with fine range; our teams are in better order now than when we started. There is quite a number of emigrants near and with us now.

May 28th:

Left camps early; traveled over beautiful road; found some cranberries, the first I ever saw. They are splendid. Traveled 16 miles and camped by nice running stream and

fine spring—cold water which is quite a treat. There is a grave near this spring—it has no inscription on it—therefore we know nothing of the inhabitants thereof. Some one perhaps that like us was in search of a new home. How I should regret to leave one of my friends along the roadside in a strange land. We have not passed a house since we left Fort Griffin which is 35 miles.

May 29th:

All is ready and started early when to our surprise about 30 Federals from Griffin rode up just as the last wagon was leaving camp. They halted the wagons and searched them for some carbine guns that some of the train had purchased. They did not find them and therefore we had to stay at the same camp; came back and stayed there all day—the Federals camped on the other side of the branch and watched around all day. That night about 8 they came to our camp and arrested several and kept them all night. The guns were brought up that night—they were brought by a citizen at the fort—the sergeant had stolen them and given them to the citizens to sell. The sergeant was arrested and one of our men was taken back to testify against the citizen that sold them and the others that had purchased were taken next morning to the fort. Imagine our anxiety although neither father or brother had purchased a gun yet our friends in the train had. But as fortune favored us they did nothing but take their testimony and permitted them to return to camps next evening. This only detained us two days. They did not give back the money that the men paid for the guns. I am very glad as we were detained that we were at such splendid water.

May 30th—Sabbath Morning:

Although we do not wish to travel on Sunday we will have to leave here today—as our stock are beginning to ramble. Camped again; traveled about 12 miles; passed Thornton's Hill—are but two houses there but many chimneys standing where houses have been—they look so lonely standing there. Country broken—Mesquite and Chaparall bushes with few scattered Elms, are the only timber. How strange it seems to travel all day and not see any houses. We hear of Indians being seen at every foot but we do not apprehend any danger from them. It rained a hard shower this evening—some hail—which renders camping rather unpleasant. We miss our nice spring tonight as the water is not very good. Are camped tonight on a high

prairie and in sight on another hill another large train is camped.

May 31st:

Started early—traveled 20 miles. Came in sight yesterday of a high peak of mountains—was in sight all day and camped just opposite it tonight. It is noted place and is called "Indian's pass." Here the Indians pass through the mountains. Some of the boys went to the top; they looked to be about one-half as high as they really were. A large rock seems to cover the top of the peak; it is on the left of the road—found some beautiful cedar trees here.

June 1st:

Passed stage stand this morning. Traveled eight miles—most of the way with mountains on each side of the road. Had to camp here in order to have plenty of water—had clear running branch—very good water. Found some gooseberries and green grapes—made some pies of them.

June 2nd:

Camped in sight of the mountain—yet been passing them all day—something resembling a grave was found on the top of one of the mountains—with a pile of rock by it with white cloth wrapped around the rock. We do not know what it was for. Found great many Buffalo hides near the camp; suppose that they had been stretched there last winter. Have not seen any Buffalo yet—seen some little prairie dogs today; they resemble a squirrel. Have not come to large town yet. Had some fish from the creek that was near the camp this evening. Have traveled about 13 miles today.

June 3rd:

Started early—passed old Fort Chilltoueno—was very much disappointed. I expected to find people living there but the only inhabitants were a few colored soldiers. One Mexican keeping stage stand. All of the houses that I saw were made of rock and there was some very nice looking dwellings here and it would be a beautiful place if it were only inhabited by nice people and some improvements made. It is 105 miles from Fort Griffin to old Fort Shaddron. Are still camped in sight of mountains. When I was at home I thought that I liked the mountains, but they look so lonesome way out there where a bird is scarcely ever seen. We have had very cool, pleasant weather to travel so far; today has been warm and the road very dusty. Came about 15 miles today.

June 4th:

Some stock missing this morning. Moved four miles; crossed Colorado river. Camped on the west side of it. It is very pretty stream—no timber on the banks as far as I can see—crossed so near the head that it is very small. The boys caught some nice fish from the river—saw some beautiful wild flowers near the river. It is 30 miles from the Colorado to Fort Concho. Some Federals camped on the river near our trains. Also another train of immigrants that was behind came up with us and camped on the right of the road while we were on the left. There are no immigrants ahead of us.

June 5th:

Found all the stock and all ready to start early. Had light shower of rain yesterday evening and still cloudy with quite a pleasant wind blowing this morning. Made a good day's drive—had to leave the road one mile to get water sufficient to camp with and then it was not good.

June 6th:

Oh, we have had such a splendid road—the most level prairie I have ever seen. Crossed north of the Conchips. Passed through the Fort. It is a beautiful place for a town and there are some very nice looking buildings there, principally made of rock. Here we saw the colored troops standing around among the Yankees, regardless of color or grade. North Conchips is small stream; very nice timber on its banks. The main stream is considerable larger. Here we had some large fish and are camped near the bank tonight. We will travel up this stream 45 miles. It is 85 miles from Fort Conchips to Fort Griffin. We are now 350 miles from home or McKinney. Is splendid spring not far where we are camped. Two or three company's of infantry soldiers are camped at this spring, two miles from the fort.

June 7th:

For the last two or three days we have had wild currants in great abundance. The little prairie dogs bark and run about as we pass their dwellings which are all subterranean.

June 8th:

Nothing of interest passed today.

June 9th:

Camped again near the Concho. Been washing and rearranging things generally. Will leave here this evening—make short drive in order to reach the desert or the river in

two more days. Here we found another large cold spring surrounded with willow trees. The cattle got scared, we suppose, at a dog. Quite an excitement was raised in camps—we didn't know but what the Indians were about. Part of the boys went in pursuit of them while others tied horses to the wagons. They did not go more than a mile until they succeeded in bringing them back. No one was hurt. Will leave here this evening. We have two men in our train that have traveled the road before—this is a great advantage.

June 9th:

Camped in nice place near the river. Had a shower of rain this evening which was quite an advantage. High hill near the camps and on the right of the road—not near so high as some that we had passed but it was near the road and myself with several others went to the top; there we found something that looked like a grave that had been there a long time; it had rocks piled around it. Have had very little sickness in the train so far. One man sick now; has been very sick; I hope he will get well.

June 10th:

Camped again on the river. We are not far from the head and it is getting small; 70 miles from where we cross the river and then strike the desert. Had another shower of rain this evening. All seem to think we will have plenty of water.

June 11th:

Near the river again—found plenty of gooseberries but did not find very nice camping place—so many Mesquite bushes.

June 12th:

Started very early—went 12 miles—camped in very nice place—will start across the first desert tomorrow. They say that we will have plenty of water most of the way. The sick man is improving; I think he will be well soon. I think this is a beautiful country.

June 13th:

Rained very hard last night which makes it very pleasant traveling this morning. Passed this morning where a United States soldier was buried, he started across the plains intending to overtake a train of immigrants that were going to California, but failed to do so and therefore starved for food. When he was found he had canteen with water in it by him. He was trying it seems to get back. Found plenty

of water and camped early this evening. Mesquite bushes is the only timber in sight.

June 14th:

Came four miles. Stopped by a pond of water—ate dinner—did some cooking—filled our barrels with water and started early after dinner. It is 35 miles to the Pecos which is the next water. We traveled until after midnight. Had beautiful road and bright moonlight most of the time. Had very good grass—little bush for wood.

June 15th:

All ready to start early this morning. Gave our horses water out of our barrels. They were not very thirsty. Arrived at the river early in the afternoon. Nothing had suffered for water. Passed through the Castle Mountains. They are the prettiest mountains I ever saw—not a bush can be seen—nothing but scatter grass; some of them resemble houses very much from a distance. Passed Central Station yesterday—nothing but Negroes there guarding stage stand.

June 16th:

The Pecos is narrow, deep and muddy stream with no timber on its bank it is now level with the banks; very bad tasted water. There is a skiff that the mail is crossed in and we have permission to cross our things in it—commenced crossing as early as we could get all the stock to the ford—they would put the things out of the wagons into the skiff and then tied ropes to the wagons and crossed. One wagon came uncoupled in the river; another broke the rope that was on the tongue but those on the opposite side still had hold of the other ropes and the men swam in and brought all safe to shore. Got all the wagons and the plunder over about 3 o'clock and then commenced crossing the cattle and horses. Just about the time all the wagons were over, Brother Dan and Ed Stewart with several others jumped into the river to try their speed swimming; the current being very swift Ed Stewart cramped and was sinking the last time when they caught him. In trying to rescue Ed, Brother Dan came very near drowning being so near exhausted; the skiff was pushed to them and they got in and came safe. Mr. Bottoms had a mule drowned in trying to cross. The only thing that we lost. They kept crossing about 10 o'clock in the night. When anything would start down stream they would plunge in and bring them out. It is only a few places that the stock can get down to the water without going in overhead.

June 17th:

Had but little trouble in crossing the remainder of the stock—got them over and commenced reloading about 12 o'clock. The men have labored faithful in getting across the river, that has been so much dreaded; all is safe and I am truly thankful. Will go seven miles this evening and camp again on the river. While we were loading the train that was behind came to the opposite bank. I can sympathize with them for I know that they dread crossing. This stream is kept full by melting snow from the mountains. It is 85 miles from Concho to Pecos River.

June 18th:

Made long drive and camped in a beautiful place by a sulphur spring. The water is very cold but I do not like the taste. This is said to be a noted place for Indians as there is plenty of water here. There are some little Indian huts not far from camp. We are still among the mountains. The highest growth that is to be seen is a shrub called the Spanish dagger which is from four to six feet high with long blades, some two inches broad and three feet long, terminating at both ends. One end has very sharp point. It is 85 miles from Concho to Pecos.

June 19th:

Drove over nice road and passed by some beautiful mountains. Are camped near a stage stand where is Negro guard. One white man there. We get water out of very good spring. A train of Mexicans and also one of Negro soldiers passed by our camp today. They are going to San Antonio.

June 20th—Sabbath Morning:

Finds me in camp and will remain here until Monday morning. This morning is warm and cloudy. I wish we would have a shower of rain as the road is very dusty. It is 240 miles from where we now are to El Paso. When we get there we are half way to California. Spend day reading and talking.

June 21st:

Rained some last night; is raining this morning. Had very hard rain ahead of us which makes the road pleasant and the air cool. We passed by a grocery. Camped near the fort. Mexicans live here but very few white people. Passed in sight of three farms; none of them had any fence around. There is large farm three miles from the fort. The Negroes work it for the government. No timber at all

here; they burn roots altogether for fire wood. I do not think that this is pretty country. Have fine springs here; the water is little brackish.

June 22nd:

Came nine miles today; found plenty of water and splendid grass; very good wood. Has been an old fort here. Mexican family camped with us tonight; they are going to Fort Janis, 60 miles from here. They travel by themselves and do not seem to be at all afraid. This is beautiful camping place and pretty surrounding country.

June 23rd:

Cool and pleasant morning. All ready to start early. They told us that there was plenty water in about 12 miles from where we were. So we did not fill our barrels, only filled our small kegs. To our disappointment the water was all dried up and we had to go 25 miles in place of 12. So we had no drinking water all the evening. We found some water standing in a pond but not enough for our stock; it was then an hour after sunset but the moon was shining brightly so we camped and put all our stock in the corral without letting them eat any as they all wanted water—so we started next morning before breakfast and went eight miles to Barrella Springs—here we found a cold, pure water well at the stage stand and a spring up in the mountains.

June 24th:

Remained here until evening—filled our barrels with water and went short distance to better range. Ma is sick, has the flux; quite a number of the train has the same complaint.

June 25th:

We are now traveling through a long and narrow gap through the Olympia Mountains. Some places there is just space enough for the wagons to pass through. On the top of these mountains, some of which I suppose are near a mile from the level, we find low bunches of live oak trees. Rained hard last night. Found nice place to camp—plenty of wood but no water but we had water with us .

June 26th:

Camped about 1 o'clock—found plenty of wood and water. Ma is some better. Part of the train went on this evening. Families remained here until morning as our trains need rest.

June 27th:

Started early—passed some of the prettiest mountains. They are straight up about 50 feet with here and there a little bushes and vines running over them full of nice flowers. Branch running along the foot of the mountains and nice springs. Camped with mountains near on each side and spring on the left. The train that left are about three miles before us. Some of them are now six miles from Fort Davis. Ma is better this morning. Man passed camps last night and told us that four mounted Indians and eight on foot had taken all the mules and horses at stand at Barrella Springs Friday about 12 o'clock. The man was on his way to the fort after soldiers. They passed by last night going to recover their horses. Some moccasin tracks were seen in the road just ahead of us. This is their main pass-way they say. I do not think they will ever attack us; they will get our horses if they can. If I was at home I think I would go to church today. The time has passed much pleasanter than I expected on the road; we will move short distance this morning to fresh grass for the stock. Camped in nice place by the side of high mountain.

June 28th:

Will remain here today to wash as we have such nice clear water. There has been great deal of rain through this country, which makes the range fine. This pass through these Mountains is called "Wild Rose Gap" and it is very appropriate name as there are so many wild roses in the little valleys.

June 29th:

Passed through Fort Davis; it is pretty little place by the side of the mountains. The valley is wide here and the mountains small. Here are found vegetables very high, roasting ears (\$1.50 doz.), butter (\$1.00 lb.), eggs (\$1.00 doz.). This is a beautiful valley. We have delightful camping place tonight. There is such a nice spring here and splendid water in abundance running out of the mountains about nine miles from Fort Davis. Several stores here; some white people and Mexicans and Negroes. There are 400 soldiers here. They played their band as we passed the fort.

June 30th:

Are camped tonight at Barrella Springs, 18 miles from Fort Davis. Not very nice place to camp. Grapes not very good. We passed some nice grove of live oak trees today.

Very little timber in this country. There is stage stand here. Negroes to guard it.

July 1st:

Intended staying at Barrella Springs until tomorrow but there was train of Negroes from the pinery that were hauling lumber to Stockton and another train of Mexicans camped at the same place. They had whiskey and the Negro soldiers got drunk and began cutting up so we harnessed up and left when the sun was not more than one hour high. We traveled three miles and made a dry camp there. We found plenty of good grapes. We knew that they had the advantage of us, if we had killed any of them then we would have been detained some time if nothing more. These military posts are a great pest to immigrants.

July 2nd:

Camped at Dead Man's holes 13 miles from Barrella Springs. Is another stand here two miles from camp—good spring at the stand. There we get water to use. Water at camp for stock. This wide nice valley—no timber except some small brush.

July 3rd:

Will remain at Dead Man's hole until morning. Have spent the day in sewing and cooking. The train that was behind came up this evening. They will remain here few days as their cattle are lame and worn down. Our teams are all in good plight for traveling. We have had plenty of rain. Have shower most every evening, which is very agreeable.

July 4th:

Started this beautiful Sabbath morning and will travel nine miles. Here we found plenty of good water in ponds. It has been many days since we was out of sight of mountains or in sight of timber of any consequence. We have beautiful level road all the time. To see the cactus and Mexican daggers you would think that there was no scarcity of timber.

July 5th:

Several carriages, three wagons, one lady and several men passed this morning on their way to El Paso—from San Antonio. No wood here—not even small brush.

July 6th:

Camped at another pond of rain water—better luck than we expected finding water. There is plenty of wood

here. Passed Van Horn's well this evening—could get no water. There is stage stand here. It is 32 miles from Dead Man's hole to Van Horn's well.

July 7th:

Traveled all day and had to make dry camp. We had sufficiency of using water with us and they found enough water for the horses. Four of the men went ahead this evening to hunt camping place. They saw four bear. This is dangerous place for Indians. Has been moccasin tracks seen all about here. There was fire seen about 9 o'clock on the top of the mountains. Supposed it to be Indians camp. Tied all our horses to the wagon and never let the cattle leave the corral. We are camped in six miles of Eagle Springs.

July 8th:

Started before breakfast and came to Eagle Springs. Here we found plenty of water for all the stock by dipping it with buckets. The spring is by the side of high mountain 19 miles from Van Horn's Wells to Eagle Springs. The train that is ahead did not get any water here. There was so many of them together. It is 35 miles from here to next water that we know of—if the other trains did not find water before they got there their stock must have suffered greatly.

July 9th:

The health of our little train is very good at present. We have 20 men—11 wagons—eight families with us. They say that we can see the river from the top of the mountains. The Negroes here have been very kind to us. The spring does not run off it uses and fills up as it is dipped out. There is quite a number of Indian Warriors said to live not far from Eagle Springs.

July 10th:

Left Eagle Springs on the 9th about 2 o'clock—traveled until an hour by sun—made coffee and rested a while and started—traveling until 11 o'clock. Had splendid road and all went on without trouble. Started early next morning. It was then 14 miles to the river. We passed through a narrow canyon just sufficient room for a road. High mountains on each side. We arrived at river about 2 o'clock. Our cattle was very thirsty but all made the trip very well. I am proud to say that we are at the Rio Grande. It is said to be one-half way to California. The road is very dry and dusty now but every appearance of rain.

July 11th:

Camped near the river. There is some timber on the banks of the river—the first that we have seen since we left Conchio except few scattered live oak. I do not admire this country. Has not been much rain here therefore grass is not very good. It is two miles from camps to Fort Quitman. Are in Texas and can see Mexico. Can see nothing but mountains and rocks. We will make short drives from now on so the stock can have time to recruit.

July 12th:

Passed through Fort Quitman. Got some small June apples there. Didn't see any white women there. There were some Mexican women—some very nice looking—dressed very nice. Some nice looking white men. Beautiful grove of cotton wood trees around the fort. All the houses were perfectly flat. Camped by a lake near the river. Had very hard rain last night which was much needed. Came to this place Sunday evening. Will stay here until Tuesday morning.

July 13th:

Started after supper and made nice drive by moonlight. The days are getting so warm that we cannot travel only early of the morning.

July 14th:

Started this morning before breakfast and went to good camping place—had large cottonwood tree that afforded us nice shade. Started this evening about one hour by sun and traveled 12 miles—camped. The nights are pleasant for traveling. Mexicans brought some nice fish to camps for sale. Was little Mexican hurt near our camp. Plenty of cottonwood and Mesquite timber on the road. Roads are extremely dusty.

July 15th:

Had shower of rain last night—makes traveling more pleasant. Started before breakfast, traveled five miles and stopped near the river. Will now get breakfast. We have fish for breakfast. Started near sundown—had not gone more than one-half mile when Mr. Conghram's wagon axle broke—took his load in other wagons and fixed his so it would travel and made drive of about eight miles. Passed by Mexican village. There are good many Mexican huts along the road. Found no grass therefore had to go to another camping ground.

July 16th:

Started before breakfast and passed by stage stand. Did not find very good grass. The men are now very busy fixing the wagon. We will not have much more grass until we get to El Paso—as we passed by one of the houses last night was brilliantly lighted. It looked very nice from the road, white man with Mexican wife was living there. We started at 2 o'clock, went 10 miles, camped just at dark.

July 17th:

Had nice shower of rain last night. We traveled near the river. Sometimes in three steps of the water; banks are very low and sandy. In one place the river runs where the road once was; road very dusty and warm. Traveling for some days past Mexicans—came to camps most every day. Some of them make a very good appearance while others ought not appear at all. Where we camped yesterday was stage stand and several Mexican huts. One of the Mexicans had large herd of goats and cattle. They do not care as to houses—just so they have shade. Traveled short distance—bought some onions, pears and apples from Mexican.

July 18th:

Have very nice place to camp. Started early—made long drive, passed through three Mexican villages. The road wound so that it was some distance from the place we went in at to where we left town. Their corn and gardens have no fence around them and therefore our loose stock gave us much trouble. We had to travel until dark to get where we could camp. Had hard rain this evening—very muddy camping. Eleven miles from here to Franklin. We have seen many buggies pass with nice looking white men in them. There are high sand hills through this country. nothing for stock to eat but weeds.

July 19th:

Started before breakfast, went in seven miles of Franklin—stopped and got breakfast—passed through Fort Bliss which is 15 miles from Socoro. Here is U. S. post and on short distance farther is Franklin. This is beautiful place—so many nice shade trees. Several white families living here. The town is near the bank of the river and just opposite this on the other side of the river is El Paso. So we stopped for some time in Franklin and purchased flour for the remainder of our journey. The merchants treated with wine and the children with candy. After making the neces-

sary purchases we went one and one-half miles and camped at Mr. Van Poltersons. Here we were treated with great hospitality. He has 48 rooms. His wife is Indian. She is head of her tribe. They are very wealthy. They came to camps and we went to the house with them and they treated us with wine. He lives in a beautiful place near the river. We received letters from our friends in California—they write cheering news to us.

July 20th:

We have had but little grass for our stock for several days. It is now nine miles to grass and water. We found very pretty place to camp and good grass. It is 95 miles from where we first struck the river to El Paso or Franklin. Total distance from Antonio to El Paso 654 miles. It is about 750 miles from McKinney to El Paso.

July 21st:

Still at the same camp. Have been washing and baking light bread.

July 22nd:

Still at same place. Left the old camp this evening. It was not pretty place to camp. Too many bushes. The Mexicans stole one pair of cows from Jim Stewart and run them across the river. The boys went across after them but failed to find them.

July 23rd:

Started late in the evening and camped at a beautiful place with fine grass. It is 16 miles from here to El Paso. Made an early start this morning. Traveled until 12, stopped—rested a while and let the stock graze and ate supper. We then started and traveled by moonlight about 8 miles. Found very good grass.

July 24th:

Started after breakfast and came to where Mexicans were living. They are very nice looking people—white as anybody. Us girls called in to see how the house looked. They gave us some apples to eat and were very kind. Their house looked so nice and clean inside; they have black Mexicans for servants. It is now 15 miles to where we cross the river. Got supper and traveled some distance—had moonlight to travel by. Camped in three miles of La Crusa, passed by an old fort. Some Mexicans were living there. The old fort looked very desolate.

July 25th:

Passed through La Crusa. It is very pretty situation for a town but the buildings are not pretty. The church bell was ringing as we passed through and the Mexicans were crowding to the chapel; they were all dressed very nice, with large bright colored shawls over their heads and shoulders. They were carrying their musical instruments with them to the church. We bought some cabbage and onions here. We arrived at the crossing of the river about 10 o'clock. The train that left us are camped five miles on the other side of the river. There is two families on this side; their captain's wife is very sick and could not cross the river, they forded the river. We intended crossing this evening, but alas, how little do we see of the future, it pains me to pen the incident. A young man that was with Uncle Stewart by the name of John Thomas accidentally shot himself with his six-shooter; he was twirling it around and revolving it and it exploded. The bullet went in on the right side through his breast and came out in his back on the same side. Oh! how it grieves me to think that anyone should happen to such an accident so far from home. He has no relatives in this train—has one brother in a train behind. Most of the men think his case hopeless, but I still hope. We have sent to town for a physician. The accident happened about 1 o'clock. He will have the assistance of our prayers. The captain's wife is very sick this evening. Sad, sad facts. Our friend died this evening between sundown and dark. He suffered greatly while he lived.

July 26th:

Have dressed him very nice and sent him to La Crusa and had his coffin made and grave dug. The corpse left camp at 11 o'clock. His brother that was in the back train came up in time to see him buried. He was buried at La Crusa. We have crossed the river and came up with the train that had left us. We had no bad luck in crossing. All forded it; stopped after dark—rested three hours—started, traveled all night; came to water this morning; tanks have been made here for the purpose of furnishing water to immigrants. They sell the water at 10 cents a drink. Has watered two trains and one beef herd today. Has made near \$100.00. It is 18 miles from here to river and about 30 miles to water ahead which is Crook Canyon. They say that this is the most dangerous place that we will

have to pass. We crossed the river three miles below La Missella.

July 27th:

Started late in the evening. Traveled until about 3 o'clock; arrived near Fort Cummins. Here we find splendid grass and water; it is called 35 miles from here to where we got the last water but we made good time and our stock did not suffer. Two large beef droves are camped here. Had nice shower of rain this evening which was very agreeable, for this soil is very dusty—no timber here—nothing but small bush to burn.

July 30th:

Leave Fort Cummins this evening. Will drive through Crook's Canyon this evening. Did not travel very late but the road was rough. We have traveled from Fort Davis to Franklin with families and 20 men. From Franklin to La Crusa we had only three families. The others stopped to wait for their friends. Overtook the train that left us at Fort Davis. We did not join them at Cummins. Their train had to wait on account of sickness so five other wagons joined us and we went on. We now have 25 men. Dangerous road ahead.

July 31st:

Are through the worst of the canyon and nothing has happened; camped at Membris Creek. We left the town to our right as this is the best way. Membris is small, clear stream with cold springs along the banks. There is something over 7000 head of stock camped on this stream part going to California and some not so far. Is small train of immigrants camped here from Dano County, Texas; they traveled up the Pecos 300 miles and when they crossed they were attacked by 75 Indians. They lost one man who lived in California and had come after his friends. They had 600 head of beeves. The Indians wanted them—they have had a hard time.

August 1st:

Left Membris this evening. We have five men. Traveled 10 miles most of the way after night. There was several men or Indians seen on side of the road; they left and we did not learn who they were. Every man had gun in hand for fight, but fortune favored and we had no fighting to do.

Will drive to water this morning. Did not find very

much water here but enough to answer our purposes; rested a while; ate dinner and started on. We have 55 miles to go now without water for our stock. Camped tonight near the mountains, by no means a pretty place.

August 3rd:

Passed an old fort—got some water to drink—plenty for the horses but none for the cattle.

August 4th:

Traveled last night—had beautiful road. This is a pretty valley. About 12 o'clock several Indians were seen on horseback. This frightened me some. No moonlight—nothing but starlight—how quiet. The train traveled tonight. The Indians did not molest us. Camped about 2 o'clock.

August 5th:

Have reached the place for water, Stevens Creek, but have to dig out the spring, so all went to work and the stock got some water but not enough. All had plenty of water by 12 o'clock and we will leave this evening. Our cattle suffered some but none failed. It is 35 miles to the next water. Is a peak of mountains here 300 feet high called Stevens Peak. Stevens had a fight at this place some time ago and hence its name. Had beans and pie for dinner. We had cool, pleasant time to travel the road that was destitute of water.

August 6th:

Good luck—we found water one mile from the peak and did not have to drive so far. We were glad to find good grass and plenty of water without going so far. The train that we left behind came up this evening. One of Dr. Beaves children died last night. It had whooping cough and chronic diarrhoea; have been two deaths in that train. Another babe died with same complaint.

August 7th:

Quite a number of beeves have come up to this place for water—some of them do not look very well they have done without water so long. Made dry camp tonight.

August 8th:

Will pass through Apache Pass today. There is fort and 300 soldiers here. The canyon is the deepest and longest we have passed through but the road is very good. Came just opposite the post and camped. Here is plenty

of good water and very good grass. There is quite a number of graves here most of whom were killed by the Indians. They are digging gold here. They suppose that there are very rich mines here.

August 9th:

Started very early this morning. Oh, what a rough road we have come over this morning. Coming out of the canyon it seemed as if we would never get to the top of the mountain. We gained it at last and then had nice road and beautiful valley—such nice green grass. There has been a great deal of rain here for last few days. We started before breakfast and have now stopped to get dinner. It has rained very hard. How glad I will be when we get to Tucson—it is 110 miles from Apache Pass to Tucson. Traveled until near sundown. Made dry camp. Started this morning and had good road.

August 10th:

This is beautiful country. If there was wood and water here this would be desirable place to live. Arrived at Sulphur Springs about 11 o'clock. Will water here and drive on. It is 25 miles from Apache Pass to Sulphur Springs where we camped last night. There was no wood at all here but we found surplus plank enough to cook with. Started about 5 o'clock—drove 10 miles. Started after breakfast on 11th—drove within four miles of the Pedro River. Could go no farther after dark on account of the short canyon between there and the river. Arrived at the river in due time—the road was narrow and rough but short. Here we found good grass and water. Small mesquite for wood. The Pedro is small shallow stream. Sandy banks. There was beef drove camped here yesterday. Some of the men that were with the drove had a difficulty and a man was killed. I do not know his name nor any of the particulars. We see his clothes and his grave near our camp. We will stay here for few days to recruit our stock. There is two beef droves camped here. Was two beeves killed yesterday by lightning during hard rain. It is 35 miles from here to Sulphur Springs.

August 13th:

Moved our camp to a better place. The evening we moved it rained very hard and next morning where our old camp was covered two feet deep with water so we just moved in time. The river was overflowed. Three families with a beef drove have not crossed the river.

August 14th:

Started this evening at 2 o'clock. Made nice drive—camped on high nice place—rained all night. I think it has rained on or in sight of us for two weeks. Passed through short canyon.

August 15th:

Is still cloudy with every appearance of rain. Will start early this morning and make good drive as the road is hard and level. Went four miles from the river. Here we rested and got dinner. We then drove 10 miles. Camped in nice place—had plenty of wood and water. Stand with a number of soldiers stationed. The road is surrounded with mountains.

August 16th:

Camped in one mile of Muscal Springs. Here the Anienza swamp set in. The road is muddy and bad. Crossed the River Cienaga several times. It was swimming yesterday but is not very deep today. It is three miles through this swamp. Had steep, hard hill to pull up this morning. Got through the swamp about 10 o'clock. Stopped to rest and get dinner. Thirty-one miles from San Pedro to Cienaga Creek. The Cienaga is small, swift-running stream with some cottonwood timber on its banks. We crossed it four times today. The bottom is gravelly and good crossing. Come over some more bad road this evening. The hills that we came over today have pulled over teams harder than any place that we have ever crossed. Camped before sundown.

August 17th:

Oh, what a hard rainfall last night and what vivid lightning from every point. Only one tent left standing so we had to dry our beds today and therefore we will not leave here before 12 o'clock. This is high dry place to camp. Fifteen miles from here to Tucson.

August 18th:

Started after breakfast. Arrived at Tucson about 3 o'clock. Camped on east side of town. Did not find good water nor much grass. This country is thick with mesquite bushes. We will stay until morning. There is quite an excitement in town about a silver mine that has lately been discovered near this place.

August 19th:

Passed through Tucson. Got some nice watermelons. This is beautiful place; some nice houses here. Goods are

much cheaper than I expected to find them. Groceries are dear. Received a letter from friends in California at this place. They are in fine spirits. I am getting impatient for our journey to come to an end—yet it cheers me to think that every day finds us nearer our destination. It is 500 miles from here to the City of Los Angeles. Drove about eight miles from town. Found good grass and water; running stream and nice spring. Will stay here until morning. This creek is called Lon Creek. It is said to be the richest ever found. Sheep ranch here and few Mexican huts.

August 20th:

Drove nine miles today, found good water but not much grass. It is 28 miles to the next camping place so we will travel tonight. The sun is now an hour high and they are fixing to start. The weather has been extremely warm for a few days past. The round cactus trees that grow here are quite a curiosity to one that never seen them before. These Mexicans will be very friendly but if they get a chance to steal they are sure to use it. Left camp at sundown, had good road and beautiful moonlight to travel by.

August 21st:

Came about seven miles last night. Found pond of water sufficient for our stock and some grass but not the best. Plenty of wood and plenty of place to camp. Remained here until late in the evening. Traveled until after midnight.

August 22nd:

Camped at a high peak (called La Catcha) that can be seen 15 miles the other side of Tucson. It is 45 miles from here back to Tucson. There is pond of water here but our stock will not drink it. Farther there is more water said to be better than this. It can't be worse. This is warm and cloudy morning. Found plenty of water and grass. Three Mexican wagons camped here. Two women with them. They said there is great danger from Apache Indians here. Three men were killed near here three weeks ago. There is high mountains on each side. Nine miles further will find us out of danger of Indians so we will travel tonight. Was hard rain ahead of us this evening so did not travel very late.

August 23rd:

Did not turn our stock out of the corral as there is no grass here. We want to go to grass early. Traveled three miles and found some grass. Passed blue water wells, the

water was cold and good but the grass was scarce and in bunches. Started at sundown and came to plenty of water and some grass better than what we had. There is stand at Blue Wells, some groceries here to sell but they are very dear.

August 24th:

Are camped near another stand 12 miles from the Blue Wells. There was Lemoine Indian here today. He had his face painted and long strings of beads in his ears. He was very friendly but all he wanted was a chance to steal our stock. We have found some good grass and plenty of rain water standing in ponds.

August 25th:

Started late and come six miles and stopped. The days are so very warm but the nights are pleasant so we lay by in the day time and travel at night. It is six miles from here to the river.

August 26th:

There is no more grass here so we will go on to the river. Arrived at the river about 12 o'clock. Found some grass but it is short and salt grass so it is not good for our stock. There is a white man here. Says he will show us where there is good grass in the morning. This place is called Sacatone Village. Here is where you first strike the Gila River. This river is swift running stream—muddy—plenty of willow and cottonwood timber along this stream. Lemoine Indians are thick here. How detestable they are—all the men riding and the women walking and carrying all the load.

August 27th:

The men have found splendid grass one and one-half miles from camps on opposite side of the river so we will remain here until Sunday. We reached here on Wednesday. It is 36 miles from this place to La Catcha Canyon. We have found very little grass since we left La Catcha. We have very good well water to drink. The pond water down this river is more or less alkali. We will travel down this river 275 miles. The Indians are passing by here all the time. Some of them ride nice ponies. Most of the men ride and the women walk and carry the load. How detestable they are. I will be glad to get out of sight of them.

August 29th:

Left Sacaton late in the evening. Traveled 11 miles.

Passed many Indian huts. Camped in one mile of Lemoore Village this morning. Is steam mill here; postoffice and huts all around. Came to Maricopa Mills before we had breakfast—distance of 12 miles. There is store here and two or three companies of soldiers. Oh, what warm weather. We are camped one mile from town. There is very good grass here—mostly salt grass. Pond water most of which is mixed with alkali.

August 31st:

Is quite a pleasant wind blowing this evening and indications of rain. They are fixing to start. Will not get off from camps before sundown. We have to go 45 miles now without water so we will travel most all night. Maricopis Indians brought some melons and few roasting ears to camps today. They are an ignorant, silly looking people.

September 1st:

Did not get to travel last night. Was a pony missing so we came one mile on the road west of town and camped. Here we found good grass and very good water. This is everything but a pretty place. It is suited only for Indians to live in. We will start about 3 o'clock this evening as it is cloudy and not very warm.

September 2nd:

Had very pleasant time to drive and made good ride of it. We drove 20 miles, stopped three hours before day, rested and slept. Got breakfast and started. Drove about 10 miles, stopped to rest until the cool of evening. We have found no grass of any note since we left Maricopa Wells. We have nice shade to noon in today. We will drive to water tonight.

September 3rd:

Did not get to water last night. Drove in three miles of Gila Bend—the watering place and as it was very late they concluded to wait until morning to drive to water. Arrived here very early. The stock had not suffered much. Is ranch here. Three American women living here. It is brushy, ugly place. There is no grass here but they tell us that there is plenty in three miles of this place. It is 45 miles from here back to Maricopa Wells. This we came without water or grass.

September 4th:

Left Gila Bend this evening. Drove five miles. Here is a good well—cold water. Several white men living

here. We stayed here on account of some stock that we lost on the desert. The boys have gone to hunt them. There is some grass here. We have not seen any Indians since we left Maricopa Wells. I would not be sorry if I never did see another one.

September 5th:

The road was very dusty last night. There has been much rain here lately. There is plenty of Mesquite and cottonwood timber here. They do not have any cold weather here. The gentleman that is living here is making preparations to make a crop. He intends planting in three weeks from now. He is prepared to irrigate. He started to California last year—got this far and both his daughters married and he stopped here. All the people that live here seem to have plenty of money. But money would be no inducement for me if I had to live here. Man and his wife that was in this train stopped here to stay a while if not all the time. Their anticipations of California are not so great as mine or they would never have stopped here.

September 6th:

Several young men that were in trains behind passed by here this evening. They are going horseback. Found all the stock so we will leave here this evening. Left camps at sundown. Drove nine miles. Stopped for the night.

September 7th:

Came to water in two miles. Found pretty place to camp and some grass. This place is called Kunion's Station. Seventeen miles from Gila Bend. Mexicans live here. We have to use the river water. Our teams and stock in general look very well.

September 8th:

Drove ten miles. Made dry camp. Found splendid grass—let the stock graze a while. We would have liked to stay here day and night with this good grass but there was no water there; so we came on to Oatman Flat. We took right hand road and came to Pike Road. Is just room between the river and mountains. For the road has been dug in the side so as to be safe. Is 14 miles nearer than the one that went around the mountain and then that road is very rough and hard on oxens feet. Had to pay light toll. This is the warmest place that I ever saw.

September 9th:

Started from the station at sundown and I think that we had the worst road that we have ever had. But it was

not very long. We came six miles and found plenty of good grass but our stock did not have much benefit of it there being no water here.

September 10th:

Started early and came to Berk's Station. Here we found plenty of good water and very good grass; white people living here. Twenty-eighth of July this station was burned. Caught by matches; three times it has been burned and twice destroyed by water from the mountain and river. The weather is so warm here that matches kept in the shade will catch on fire unless kept in something that will not burn.

September 11th:

Left Berk's station in the evening. Is another stand in five miles of this place. We did not stop there, we came on to Stanwick's Station very early this morning. Stanwick's is pretty place. Gentleman keeping batch here.

September 12th:

Did not leave here last evening as some of the stock were missing so will leave this morning.

September 13th:

Made a drive of 11 miles, found good grass and plenty of water. Is no station here. Passed an old station yesterday but it was uninhabited.

September 14th:

Started late. Passed Texas Hill Station, 16 miles from Stanwick's. Very good well water here. Filled up some kegs with water then drove five miles to grass. Pond of salt water here. Will stay here until morning. Got late start again. Came five miles to river, nooned here. Was no grass here at all.

September 15th:

Started in the evening. Passed Mohawk Station in the night. Had very good road. Seventeen miles from Texas Hill to Mohawk Station. How glad I will be when we cross the Colorado River.

September 16th:

Had heavy sand road to pass over today. We made dry camp last night. Arrived at Antelope Station about 11 o'clock in the morning. We are camped near the river but there is no grass here; is some grass two miles from here. Will have to drive the stock to it. There is mountain just

opposite the station that is 300 feet high. Nothing growing on it at all.

September 18th:

Intended starting last evening but the cattle got away and we did not get all of them so we are still at the same camp. The weather here has not been so warm for the last few days. Stationers all keep whiskey along here. Four men that belong to the beef herd were so much intoxicated today that they knew not what they were doing. They charged and pitched around a while. Shot at the station keeper and then left without doing any damage to any one. Sixteen miles from Mohawk to Antelope.

September 19th:

Found all but three of our stock so we will leave Antelope Station this evening. Started before sundown. Went to Mission Camp tonight, 16 miles. The night was pleasant for traveling but the road was extremely dusty. This morning was like winter and I am so glad to see the change.

September 20th:

Have to drive to grass this morning, that is if we can find any. Drove three miles, found some grass and cane for the cattle to graze on. There are wagons passing the road all the time hauling to the stations, we have deep heavy sand most of the time since we first struck the river and will continue so for 75 or 100 miles farther.

September 21st:

Drove in two miles of Gila City last night. An old stand here. Passed Gila City today and came six miles farther. Found no grass. Bought hay to feed the cattle. We have lost good many cattle now and I fear we will loose many more as grass is scarce. Nothing at Gila City but one station, it is now 14 miles to Fort Yuma.

September 22nd:

Drove in one mile of Fort Yuma last night. Had splendid road. Passed through the town today. The fort is beautiful place on high hill that commands full view of Arizona City. The fort is on the other side of the river and Arizona City on this side. Goods and groceries are cheap here. Very few pretty houses in the city. Disappointed several times when I got here. First we got no letters, then we were expecting to get vegetables when we got here but there are very few here. They are expecting three boats every day that will bring vegetables.

September 24th:

Camped six miles from town at the crossing on the Colorado. Found some grass and cane for the stock. Very pretty place to camp. The Colorado is 150 yards wide. I suppose muddy but it is good tasted. There is no timber on the banks here. Very thick brush and high weeds all the way from town down here. Boat come up but brought no vegetables. The Gila passes into this river just at Fort Yuma. The mosquitoes are very bad here. We next have a desert of 40 miles without grass, so will stay here several days. Our stock did not look very well when we got here. I do regret having to lay by when we get so near. We have traveled down the Gila river 228 miles. It is 320 miles from Arizona City to Tucson and is 250 miles from Arizona to Los Angeles.

September 29th:

We have now been camped at this place eight days and have had so much trouble with the stock since we came here. The brush and weeds are so thick that they cannot ride through it. We will cross the river today. There has been Indians here every day since we came to this place. They bring little melons here to sell.

October 1st:

We are in California at last. Is stand here and American man and lady lives here. This side of the river looks no better than the other, nothing but mountains and sand and brush. Some of our stock that we could not get that we will have to leave on the other side of the river as there is no grass here to graze on. There was a death in camps on the 30th. An infant 10 months old of Mrs. Collins. They are from Arkansas. They buried it near the station under a tree. Poor little child. It is now at rest. We bought some nice apples, onions and potatoes from a gentleman that is just from Los Angeles. He gives favorable reports of that country.

October 2nd:

Left the river about 10 o'clock. We will have no more grass of any consequence for 40 miles. Our feed for our cattle cost \$30 what time we stayed at the station. We drove six miles and came to Mexican ranch, here they told us that if we would drive six miles that we would find grass. So taking their word with Indians for pilot we drove about four miles and found some grass and water but it was so boggy that we could not have watered and the Indians were

numerous. What could we do. Nothing but turn around and go back to the Mexican ranch. So we started back about one hour high and made the trip safe back not long after dark. Here we bought green corn to feed with. Had some water-melons today. There is sand hill after hill to be seen in the west with nothing at all on them. We are most ready to start again. We will travel tonight. The little Indian huts are thick. I will be glad when I get out of sight of them. They burn all their dead and if they chance to have a horse it has to be burned alive when the body is burned. They eat the horse and reserve a portion for the spirit that is gone when it returns.

October 3rd:

We came to a station 14 miles last night. Had heavy sand road most of the way. This is the most destitute country of grass that we have ever traveled over. We will not feed at this stand but will start in the morning and go to the next one—distance of 17 miles.

October 4th—Sabbath Morning:

We traveled most all day, reached the stand in the evening finding plenty of barley and hay to feed with. Remained here until next evening. We went to the next stand that night. Fed with hay and barley.

October 5th:

We reached new river. This river is caused by the rise of the Colorado. It is not running now but there is ponds that is sufficient for the stock. There is well here but the water is not good. Here we found plenty of mesquite beans and dry grass for the stock. The first they have had since we crossed the river. There are few goods and groceries here. It is 45 miles to crossing of the river. We have found plenty of water on the desert.

October 6th:

Will leave this evening. Fifteen miles to the next stand. Here we find dry grass and beans for the stock. Plenty of Lagoon water. Some better than the last we had. Remained here two days. Leave this evening.

October 8th:

We now have 30 miles to go without water. We will go 13 miles tonight. There we will find some grass.

October 9th:

Had heavy sand road last night. Got here about mid-

night. Will start at 3 o'clock this evening and drive to water tonight.

The nights are very cool and pleasant. We will soon be across the much dreaded desert and we found the road much better than we expected. If you ever do travel this road you need not believe half that the people tell you.

October 10th:

Reached the water about 3 o'clock in the morning but very little grass here. Bought hay to feed with. Beautiful little running branch here. Groceries to sell here. It is eighteen miles to grass. We will go there tonight.

October 11th:

Arrived at the stand just after sunrise. Traveled all night. Found good grass and plenty water. One American family living here. Twenty-five miles across the mountains. There is settlement of Americans, first settlement that you come to. It is on the San Diego road.

October 13th:

Have rested two days. We will leave for the next stand this morning, 18 miles from this place. We will go there tonight. They say that we will have no more bad water to use. I think we have used our full share of it and we are now done with the dust and sand. There has not been any rain here this summer.

October 19th:

I have not opened my journal for some time and have nothing to give as a reason neglecting my writing. We had pleasant camp at St. Philippi with plenty of grass and water but we had some rough road to pass over before we got there. Stayed there two days. It is small valley. Mountains all around. Heavy timber on the sides and top of the mountains. Mexican family living. Some white men—groceries and few goods. Fifteen miles from here to Warner's ranch. Is very pretty place. We have had plenty of potatoes and cabbage since we came here. This is the best grass that we have had for 300 miles. We have also had some large apples and delicious grapes. Had few sprinkles of rain this morning and it is still cloudy. Left Warner's ranch after dinner. Drove nine miles and found fine camping place. Passed through beautiful valley.

October 21st:

Camped by a nice little stream of water—had very good grass.

October 24th:

We have been camped two nights and two days near a stand called Oak Grove. Here we have splendid grass but not very good water. Two of the boys have gone on horseback to the Monte to make selection of places. We shall leave this morning. Are expected to meet our friends. Are camped tonight in pretty place. Two families of Negroes live here. We got plenty of nice cabbage. The largest heads of cabbage — very cheap. These Negroes are wealthy. The boys met our friends and one of them came back. Met our sister and brother today. Oh, how glad we all are to meet again.

CALIFORNIA'S YESTERDAYS ALONG EL CAMINO REAL

BY A. HARVEY COLLINS

The settlement of a country or territory and the development of its civilization and industries are so closely bound up with the methods of communication and transportation that history becomes a fascinating narrative of the life and activity of a people along historic routes of travel.

The famous routes of commerce between the Orient and Occident in ancient times furnished the only means nations had of acquiring a knowledge of other peoples than their own or of taking any active part in the world's affairs.

When the sons of Jacob sought opportunity to dispose of their undesirable brother they stationed a salesman beside the artery of commerce leading down into Egypt. Rome, in order to bind the farthest parts of her widely flung provinces together, stretched indestructible highways from the Eternal City to her remotest outposts. One of the most famous of these—the Appian Way—throbbed with the heart-beats of the mighty empire as Emperor and Senator and Consul and Pro-Consul or plebeian or slave or prisoner in chains took pleasure ride or exercise or was driven to tasks or led to dungeon along this historic highway. Another—the celebrated Watling Road of England—extended from the north to the south of the province and along its well-constructed path, in Roman times, the vigilant arm of the government marched with clanking harness, and over this hundreds of millions throughout the centuries have passed to and fro.

Pizzaro and his greedy followers hurried along the well-constructed roads of ancient Peru and up to the vaults of wealth in the palaces of the Incas.

Cortez found the wonderfully constructed causeways, connecting the island city of Mexico with the mainland, behind which the Montezumas had held themselves in presumable safety.

The Wilderness Road traced across Kentucky by Daniel Boone will always be an index of the life of that noted pioneer and of the dangerous days of that dark and bloody ground.

The development and the life of the people of the region north of the Ohio River is more familiar than that of any other part of our country because a cross section of that life was traversed by the old Cumberland and National Road, now re-christened the Lincoln Ocean to Ocean Highway. The people of the western plains and mountain region are familiar with the Long Cattle Trail and the Santa Fé Trail.

But the people of California and the West Coast have a famous highway the unwritten sign-boards of which tell more of our early history and the lives of the Californians of yesterday than is usually found along so narrow a path—EL CAMINO REAL—The King's Highway.

This famous route of travel in its palmiest days was little more than a bridle trail winding in and out among the hills, valleys and coast line and connecting the Christian Missions of Lower California, 18 in number, and the 21 of Alta California from San Diego to beyond where the Golden Gate nightly closes her portals by the glow of the brilliant sunset sky. Here and there it passes along the pebbly beach of the deep blue waters of Pacific and so close that the flow of the tide would almost wash the sandaled feet of the traveling padres. Again turning back into the hills and valleys where broad seas of grain waved in the gentle breeze or where countless herds of cattle roamed the grassy hills. Here and there these wayside hills were sometimes half hidden by a wind-swayed curtain of mist woven by the breath of the near-by ocean, just as we as children used to film the window panes by gently breathing upon them.

Mr. McGroarty says, "Never was there a road more glamorous with romance or more eloquent with service than El Camino Real, on which still linger the gray ruins of the old Franciscan Missions."

Any account of the history of our golden California, as lived along the King's Highway, must be replete with the deeds of daring explorers, royal messengers or others in the discharge of their commissions from the king of Spain or the authorities of Mexico; with the quiet, simple and noble lives of the padres as they exemplified the spirit of Christianity and taught the arts of industry to the savage or untutored natives; with the interesting social régime which dominated a high-spirited and romantic people.

It is the purpose of this paper to delineate some of the interesting phases and episodes of our yesterdays as suggested by the above index.

Every highway, route of communication or settlement of a territory must have a beginning. And that beginning is usually at first, like most great enterprises, the concept of a single mind or the product of but a few minds. This was strikingly true of the beginnings of California and of the beginning of this highway.

Since its discovery and exploration by Cabrillo, Ferrel and others, Alta California had remained unoccupied by Spain for 160 years.

Officials of Church and State had often discussed suspended California and wished that it might be occupied permanently for the King and the Church.

The final conception and successful consummation of the plan was due largely to the ability, energy and practical good sense of Señor José de Gálvez, whom the King of Spain had wisely appointed Visitador-General and commissioned to examine the frontiers of New Spain with the idea of making suggestions for betterment. With such a commission it is probable that Señor Gálvez as early as 1767 began laying plans for the occupation of Monterey, then thought to be the best harbor on the upper coast.

Just at this time other conditions more urgent than just expansion of the frontier were recognized and which, to Spanish officials, seemed to render the permanent occupation of Alta California imperative.

This plea set forth by the viceroy and Gálvez was that now time-worn and familiar one, if we do not at once occupy this territory there was danger that some other nation, in this case England, France or Russia, will. Occupation by Spain, they argued, would avert the danger from foreign powers which now had the opportunity and the keen desire to establish a colony at Monterey or some other port on the coast.

England and France had for nearly two centuries been seeking a passage to the Pacific from their colonies on the Atlantic seaboard. And now in 1769, when England had acquired all of the French colonies, Spain well knew that England would not rest until she had pushed far to the west and if so fortunate as to find a large river flowing into the Pacific, and this might be the Colorado, then England would come out dangerously near to New Spain.

Then again, it was well known that the Russians were encroaching upon Spanish coasts, as they were already engaged in the fur trade on an island not more than 800 leagues from California.

It would not be a difficult thing for one of these nations to plant a colony at Monterey, and from thence Spain's possessions on the Pacific might be invaded and exploited as were those of the Atlantic.

Furthermore English buccaneers had long been lying along the coast of Upper California, and from their rendezvous they darted out and seized the treasure-laden Spanish galleons engaged in the Philippine trade.

Summoning Father Junipero Serra to a conference at San Blas, on the west coast of Mexico, Gálvez with Serra planned as soon as the necessary forces and supplies could be collected, to undertake several expeditions, consisting of Franciscan friars and Spanish soldiers acting in harmonious conjunction, into Alta California, and commencing at San Diego and Monterey as initial points, to leave nothing undone until the entire northwest coast should unquestionably be subjected to Spanish jurisdiction.

A threefold scheme of occupation was projected, first, by the sacredotal, the Mission; second, by the military arm, the Presidios; and third, by the civic arm, the Pueblos.

Two expeditions were soon dispatched for the site of San Diego, one by land and one by sea, with instructions that the one arriving first should wait 20 days for the other before proceeding to Monterey alone.

By July the first, 1769, both expeditions had reached San Diego, and for this reason it has been appropriately suggested that July the first be named and celebrated as the natal day of Alta California.

On July 16th, 1769, Father Serra with appropriate ceremonies founded the first mission, at San Diego. And although the commission came to him late in life, at the age of 56, yet Serra was so full of enthusiasm and zeal that by 1800 there had been established 18 missions, nine of which Father Serra himself had founded before his death in 1784. This number was augmented by three more later. Starting at San Diego the traveler, along El Camino Real, would reach San Luis Rey, San Juan Capistrano, San Gabriel, San Fernando and so on up the coast, stopping at a mission about every 30 miles, to San Francisco and across the bay to Sonoma.

Many interesting and romantic legends are told concerning the founding of the different missions. The one of the bell is worthy of recital here.

It was the custom in Old Spain that when a bell was to be cast for the church the maker just before pouring the molten amalgam into the mould would ask if any one pres-

ent wished to sweeten the voice of the bell with a silver offering. It was firmly believed that a piece of silver dropped into the metal had that effect. On an occasion an invitation of this kind in 1730, little Miguel slowly edged his way to the front and timidly dropped a small silver coin, his whole treasure, into the boiling cauldron. After casting, the bell was rubbed and filed down to make it smooth and give it the desired tone. Little Miguel day after day eagerly watched this process and grew familiar with its final tone. The bell was then christened and engraved "AVE MARIA SANTISSIMA, 1730."

Miguel grew to manhood and took the vows of the Franciscan Brotherhood, imbued with missionary zeal. He offered himself and was accepted for work among the Indians. In due time he arrived at San Diego and reported to Father Serra, who at once detailed him for the mission San Gabriel. After a tiresome journey the evening of the fourth day found him within sight of the mission, just as the Angelus called all of them to their knees in worship. When the bell ceased Father Miguel did not rise. Was he in a trance, or was he over wearied from the toilsome journey? No, he had heard a familiar voice. At last he arose and hastened to the mission, and mounting the bell tower read—"AVE MARIA SANTISSIMA, 1730." He wept for joy at meeting a beloved friend, lost and found again.

From that day to the day of his death as an old man Father Miguel Sanchez never once missed ringing the Angelus with his own hands. As the end came, after a few hours of illness and just before sunset, legend asserts that the AVE MARIA SANTISSIMA, as if to announce his departure, began ringing of its own accord. Or was it the bells of Heaven ringing a welcome to the pious soul of Father Miguel?

In the Golden Age of the missions, these twenty-one missions occupied nearly all of the most fertile and desirable land along the coast from San Diego to Point Reyes. Each mission with its extensive grain fields and more extensive stock ranges reached so near to that of its neighboring missions that there was little or no room, in the 30 miles between one and the next, for civic settlement.

As it was once said of England that her history was the history of her church, so it can be more truly said that the early history of California was the history of her missions. During the period from 1769 to 1820 the missions must indeed be accorded the rank of first importance among

the institutions of California. For from within their enclosures radiated the real activity of this peaceful era. This was largely due to the zeal, enterprise and indefatigable work of the self-sacrificing Franciscan padres. Carter in his *Missions of Nueva California* has this to say: "For energy of purpose in inception of the missions established by the Franciscan Order of the Catholic Church; for courage to persevere in the face of numberless difficulties; for continued zeal shown toward the betterment of the Indians, even under the stress of danger to life; for the wonderful, rapid growth in prosperity and power of the great missions established at various points from San Diego to San Francisco; for picturesque scenes of mission, Mexican and Indian life, during a period of more than half a century with their manners and customs utterly foreign to anything else found in the United States; for the sad pathetic death of the Mission System after its glorious spiritual career;—for all these things the history of this State forms a chapter second to none in interest and picturesqueness, of all our state histories."

The work of the mission in its institutional life varied somewhat with the locality, but each one was a veritable hive of industry. Two hours of the day were devoted to worship; seven hours were given over to labor, and the remainder of the afternoon and evening was allowed for pleasure. Saddlers taught the Indians to make saddles and shoes, others were trained at the forge, some were detailed to construct the churches and mission buildings, others made adobe brick; then there were irrigation ditches to be dug, lumber to be hewn, gardens, vineyards and broader fields to be cultivated. Some were sent out on the range to care for the great herds of cattle, sheep and horses; while others still were sent to the mountains to hunt. The females were taught cooking, spinning, knitting and embroidering.

During their recreation hours they engaged in such games as hoop and ball, innocent games of chance, or the dance around a fire; here the men, stripped to the waist, their bodies streaked with paint and heads crowned with feathers, executed a slow rhythmic dance to the sound of drum, horn and castanets.

The padre was the real father and teacher and master of the semi-slave neophyte. The padre taught him obedience to the missionary, how to work, how to play the violin, guitar, mandolin, etc., and in all things was truly *in loco parentis*.

The specific purpose of the mission was the conversion of the savage Indian from a religion which had many gods, to whom he had given the attributes of hate, treachery and cruelty similar to, though greater in degree than his own, to a gospel (good tidings) of love, long suffering, kindness and the universal brotherhood of man.

Whether with all their zeal, energy and sacrifice the padres succeeded is usually answered affirmatively or negatively according to the degree of sympathy of the one attempting the answer. Success is without doubt a relative term. The Crusades in accomplishing their initiative and primary purpose miserably failed, for the sepulchre of Christ still remained in the hands of the the infidels. But as a commercial and economic movement they were successful to a marked degree. So the Missions of California, while able to make but rote Christians of the Indians, could not imbue them with its deeper and lasting meaning, nor instil into them, in an understanding way, the deeper principles of civil government. Thus it happened that when the guiding hand of the missionary was withdrawn, through secularization, the great majority of them reverted to paganism and a low form of civilization. But as a contribution to history, the missions must be regarded as a great success. They were a large factor in holding California for the civilized world, particularly for Spain, and as the event proved, for the United States.

The work of the Missions also became the foundation of our own State history and furnished, as a fountain source for our literature, both art and romance.

The social intercourse of the padres largely grew out of the part performed by the missions as houses of entertainment for the traveler along El Camino Real. Says Richman, "Up and down the coast went the horseman, nor ever was anxious as against the night. Each day at sunrise he quitted one consecrated portal, to be enfolded beneath another at sunset. Nor anywhere for lodging, for meat or drink, for peaches or pomegranates, for relays of horses or for vacquero, was there cost to him for aught. The traveler brought to the padres news, which was life, and news acquitted him."

But Spain did not neglect the other methods of subduing and holding the Californias,—the presidios, pueblos and haciendas. These were so closely connected in their social and civic life that they may well be considered together.

Presidios were established and garrisoned at San

Diego, Santa Barbara, Monterey and San Francisco and pueblos were founded at San José, Los Angeles, and around the presidios of San Francisco and Monterey; while in between, wherever land was not occupied by a mission, it was given out, usually in large grants, to Spanish or Mexican grantees.

With missions and presidios and pueblos and rural homes established, the territory was erected into a province, and a governor and staff of officials took up residence at Monterey. Then began that civil, religious and social régime in California which has cast an interesting glamour over the romantic period of her early days. At the presidial towns, San Francisco and especially Monterey, where the military and the civil were so closely intermingled, this activity was the most pronounced.

Chapman in his *Spanish Period* says, "Life was one continuous round of hospitality and social amenities, tempered with vigorous outdoor sports. There were no hotels in California, every door was open, and food, lodging, a fresh horse, and money even were free to the guest whether friend or stranger. No white man had to concern himself greatly with work, and even school books were a thing apart. Music, games, dancing and sprightly conversation—these were the occupations of the time—these constituted education. Also men and women were much in the open. All were expert horsemen, could throw the lasso, and shoot unerringly, even the women, accomplishments which fitted their type of life, and made hunting a general pastime. When foreign ships came, there were balls and the gayest of festivals. Nor were these visits the only occasions for that type of entertainment."

During the Spanish period only a few noted land grants were made, such as 300,000 acres in the vicinity of Los Angeles to José Maria Verdugo and the present great bean ranches of what is now Ventura County, to the Pico family.

But with the ushering in of the Mexican régime, the governors began bestowing these grants with an improvident hand. The recipients of these large grants soon became grantees and overlords.

A typical and probably the most noted of these overlords was Don Antonio Maria Lugo. Born in California, he had early rendered splendid service to his country and for this he was given seven leagues of land in 1813. As children came to the family, league after league was added to the original grant until it is said Don Antonio could ride for days and nights without getting off of land that was his.

All of the Yucaipa Valley and the San Bernardino Valley from under the shadow of the Arrowhead westward to where men go down in ships to the sea at San Pedro, through where Pasadena and Los Angeles now teem with activity, with the exception of an island here and there, representing a prior claim, belonged to Don Antonio.

These great ranches became at once the centers of the social life of the period. The father and overlord presided over his household with almost regal sway. Sons and daughters of an always large family, even if themselves past middle age, paid great deference and obedience to the father, always uncovering in his presence, and kissing his hand when retiring.

"The men of California were tall and vigorous, and withal they were picturesque. They wore a dark-colored, low-browed, broad-brimmed hat; short jacket; open-necked shirt; rich waist-coat, knee breeches and white stockings or trousers slashed below the knee and gilt-laced; deer skin leggings and shoes; a red sash and a serape." They were indeed real caballeros, knights of the saddle, and were classed among the most expert horsemen in the world. They usually rode at a full gallop, and having an abundance of horses they gave them little thought or care but literally "rode them down." Among the many stories told of their feats of horsemanship, this one is typical as well as almost unbelievable. It is said that at San José, a caballero, wagered that mounted on his steed he could receive with one hand a salver or tray containing a dozen wine glasses filled to the brim with wine, place it on his head, start on a gallop from his position, ride at the same speed 50 rods to a hotel, stop suddenly and hand the salver to a porter without having spilled any part of the liquid. The sequel is said to be that he won the bet.

Another exciting activity and the natural outgrowth of their constant use of the saddle was that of horse-racing. Nearly every great rancho had its favorite racer and on which owner and friends satisfied the general propensity to gamble by betting, often their all, on the issue of one 800-yards dash. At the annual fiesta held in southern California, and perhaps on the old Dominguez rancho near Los Angeles, the people came from all directions from as far as 150 miles, to witness this California Derby and lay their bets on favorites. There is a very vivid narrative of one of these meets in the romance, *For the Soul of Rafael*.

But of the festivities of the Spanish and Mexican régime all others were overshadowed by El Rodeo. Wher-

ever this annual roundup took place it was the event of the year for that locality.

For the stage and setting a spot with a broad extent of meadow would be selected in the central part of which strong corrals would be constructed and into them the thousands of cattle from the surrounding ranges driven for the purpose of branding the calves and cutting out and segregating to the owners the beef cattle.

This great roundup would also require much stage setting besides the great corral. There would be need for a dozen "chuck wagons" and quarters for the persons in attendance, for the *dramatis personae* would include scores of cowboys, the most skillful of California or of even of the ultra-mountain ranges, numerous dashing young caballeros, riding richly caparisoned horses, and as many gaily dressed señoritas, who had come to grace the occasion, if in southern California, from San Diego, Santa Barbara, Los Angeles and other places as far as 150 miles away. To these who year after year attended the rodeo each one was as interesting as if it was seen for the first time.

As the work and the exercises of this rodeo would last a week, it was necessary to provide accommodations for the visitors and others. Wikiups or brush houses were built along a nearby stream under the soft green canopy of the alder trees. Long boards of rough lumber were fastened from tree to tree for tables, and long trenches were dug, where the fires for barbecuing the meats were kindled. Corn in large quantities had to be pounded in the metatés for the tamales and tortillas. All this work was attended to by the Indian servants of the great ranch.

For the special guests, and indeed for all, there was provided a dancing pavilion where far-famed Spanish musicians with guitar and violin enlivened the night from the first peep of evening stars until Orion was traveling rapidly down the western sky. Besides the dancing there was also provided the usual racing, cock-fighting, ring shooting, quoit pitching, running, wrestling, etc. Throughout, the visitors, especially the fair señoritas, watched the skillful cowboys as they performed feats of horsemanship, cut out a stubborn animal, roped a calf or maverick to be branded, or lassoed a fat animal for beef.

At the close when the calves were all branded, the fat cattle all segregated for market and the remainder turned back on the range; then the curtain fell on the last scene and, no encore being provided, the performers and audience

quietly faded away to return a year hence and repeat this always interesting drama of early California life.

Riding homeward from a southern California rodeo or other festival occasion, a Spanish Don was likely to meet some friend who was on his way to dine, by invitation, with Señor Don Antonio Maria Lugo at his hospitable rancho, near where Whittier is now located.

Being pressed by the invited guest, and knowing he will be welcome, the friend decides to accompany him to the dinner. E'er long another, and then another is thus met and in like manner persuaded, deciding also to attend the dinner. When they arrive, not the one invited guest, but half a dozen have joined him. All are given as hearty a welcome by Don Antonio as the one invited guest. After the dinner the guests are all prevailed upon to remain over night and join in a hunt in the mountains to the north the next day. When the hunt is over, special entertainments are planned for the next day, and the next, until the afternoon dinner hour and lengthened into a fortnight round of one pleasure after another. One day, as I said, it was a hunt, the next a ride to inspect the herds on the thousand hills, the next evening a fiesta and dance at the pueblo de Los Angeles or music and dancing at the ranch home, and so on, the hospitality of the host never lacking or exhausted. Such was the measure of the hospitality of this romantic period.

Perhaps one of the most interesting of the many social occasions of the period was that of the wedding. Girls were often betrothed by their parents by the time they were 10 or 12 years old and at 13 to 16 were given in marriage. The weddings were rather elaborate affairs.

In the first place the bridegroom must present the bride with at least six entire changes of raiment. No garment must be omitted from a sentiment of delicacy or modesty. Any oversight in this respect was considered as personal indifference and might blast all his hopes.

On the day set for the wedding, two fine horses saddled, bridled and pillioned were led to the door of the home of the bride. Mounted on one the bridegroom took the god-mother of the bride before him on the pillion and the god-father likewise took the bride on the other charger. Thus they galloped away to the church, where the priest, in his most gorgeous robes, received them at the altar. Here they knelt, partook of the sacrament, and were married. They then started on the return, the bridegroom now taking the bride on his horse before him. Thus they returned to

the home of the parents of the bride, where they were received with a discharge of guns. Two persons stationed conveniently near now rushed out, seized the groom and deprived him of his spurs, which he must redeem with a bottle of brandy.

The married couple were then allowed to enter the house where the relatives were all waiting in tears to receive them. They knelt before the parents and received a blessing bestowed with patriarchal solemnity.

On arising the groom made a signal for the guests to come in and another for the musicians to strike up. The dancing thus commenced continued, without interruption, often for three days with only brief intervals for refreshments, but none for sleep. The dilemma of the sleepy guests and especially of the bride and groom furnished much merriment for all.

And now the scene changes again, along El Camino Real. With the coming of the Americans, Hispanic institutions fell at one blow.

For a long time even since the administration of President Thomas Jefferson, attempts had been from time to time made to purchase Upper California from Spain and Mexico. As each offer was in turn refused, succeeding presidents became more urgent and determined, until President Polk made the acquisition of California one of the principal issues of his policy. Unsuccessful in his attempt again to purchase, he saw fit to await the issue of the fast approaching war with Mexico. The result was as President Polk had anticipated, and California became American by the terms of the treaty of 1848.

We are limited to but a casual mention of the stirring events of the earlier days of the American régime.

Just as the war with Mexico broke out, came the incident of the Bear Flag Revolution, perhaps without a parallel in history, where a handful of men with little if any previous planning committed a filibustering act in the face of a possible military force. Fortunate, indeed, for the Bear Flag revolutionists, that the breaking out of war between the United States and Mexico brought the United States forces into California and the Bear Flag people could turn their precarious conquest over to the United States forces.

The discovery of gold within a few weeks of the transfer of California to the United States and the subsequent rush to the gold fields, of every class of people and from

nearly every nation in the world, has few if any analogies in history.

The news in San Francisco and other California localities produced wild excitement. "The blacksmith dropped his hammer, the carpenter his plane, the mason his trowel, the farmer his sickle, the baker his loaf, the tapster his bottle and even the judge on the bench flung aside his ermine to mingle with the crowd that anxiously on horseback, on foot and even on crutches rushed toward the American River where the yellow metal had been discovered. Thousands of people from the eastern states, called Argonauts, made their way overland to the "diggings" singing,

"Oh! California that's the land for me!
I'm bound for the Sacramento
With the washbowl on my knee."

With the coming of so many people and the chaotic condition of the government during the transition period, there arose a strong demand for a better government and for statehood. So these sturdy Americans met at Monterey and formed a constitution. With this constitution the state was admitted into the Union and the laws of the United States took the place of the obsolete and inadequate laws of Mexico.

Due probably to the lawless character of the element brought in by the gold rush of 1849, to the inadequacy of the laws in operation and to the letting down of moral stamina of many who in other places and other environments, had upheld law, a great crime wave swept San Francisco in the early 50's. Murder, robbery, incendiarism increased from month to month. Few criminals were arrested by the authorities and none were convicted.

Proverbially the Anglo-Saxon people are long suffering and law-abiding; but when a long train of crime continues unabated and criminals go unpunished, forbearance ceases to be a virtue. Such a condition had arisen in San Francisco in 1851. Imbued with the principle that the welfare of the city far transcended the questionable sanctity of unenforced law, 200 of her best citizens came together and determined to rid the city of crime, lawlessness and undesirables. For this purpose an organization known as the Committee of Vigilance was formed. It was not a mob. On the other hand, it was made up of respectable men who openly assumed responsibility for their acts. Carefully and methodically they worked, arresting, trying and punishing criminals according to regular rules of procedure.

Placards warning the criminal classes to leave the city were posted.

Ninety-one persons were arrested by this committee of 1851. Of this number four were hanged; one whipped; 14 deported; 14 ordered to leave California; 15 delivered to the authorities for legal trial and 41 discharged. San Francisco breathed easier again and law and order prevailed, and the committee disbanded.

But crime had not learned her lesson well, so that again in 1854-56 she grew bolder and conditions were worse than in 1851. "More than before the law was made a mockery by corrupt or inefficient officials and dishonest lawyers, until thoughtful men despaired of finding in the law any relief from the conditions surrounding them. The vicious circle was rendered complete by a union of wealth and respectability, in the persons of certain business and financial leaders who needed to control municipal elections and the city treasury with the rowdy element."

James King, an editor, and a man greatly loved by the better element of the people, by his scathing denunciations of the corruption of the morality of the city and the defrauding of the people through political power, had aroused the bitter hatred of those whom he denounced, also stirred up the better element until it would take only some over-flagrant act to crystalize public opinion into action. This act came in the cold-blooded murder of James King by a discredited politician and saloon keeper named Casey.

The old fire bell again tolled and around the nucleus of the old a new Vigilance Committee of 600 was organized with the following declaration of purposes:

"We do bind ourselves to perform every just and lawful act for the maintenance of law and order, and to sustain the laws when faithfully and properly administered, but we are determined that no thief, burglar, assassin, ballot-stuffer, or other disturber of the peace shall escape punishment either by quibbles of the law, the carelessness or corruption of the police, or a laxity of those who pretend to administer justice."

Casey after a fair and just trial was convicted and hanged on the day of Editor King's funeral.

The Vigilance Committee of 1856, like its predecessor, cleared the city of undesirables whether of high or lowly station. Ballot box stuffers no longer dared tamper with elections, and in due time, by an honest ballot and a fair count the city was again turned over to legally constituted law-enforcing officials.

By voluntarily disbanding when their work was done, there was prevented that often dangerous tendency that so powerful an organization might become an instrument for

selfish or partisan ends. It is one of the few cases in history where there seems justification for the "overriding of law to save law."

And now in only a few places, as San Diego, San Gabriel, Santa Barbara, Monterey and in nooks and corners, here and there, does there remain any of the life of those earlier California periods.

Few, perhaps none, of us would wish to return to that mañana, little, accomplishing time, but yet it is worth our while to pause amidst the busy activity of our period of rapid transportation and instantaneous communication to reflect upon the fact that the foundation laying of a Woolworth Building or of a great nation often takes as long and is as important as the superstructure itself.

California is rich in unique history on account of the Spanish and Mexican régime. *California is rich in literature* on account of the deeds of the Spanish pioneers and the life of this romantic people.

El Camino Real has widened into a paved highway, marked at regular intervals with the signs of the mission bells. *These tongueless bells* stand like *San Jacinto* and *San Geronio* as silent sentinels guarding the decaying ruins of the past, until we who have received *this rich inheritance* shall pause in our mad rush for dollars and more dollars, lay aside our avarice, and with some sentiment for the past take up the trowel and hammer and restore these grey monuments, the most priceless historical ruins to be found on this continent.

MRS. LAURA EVERTSON KING

A Biographical Sketch

By Committee of LILLIAN A. WILLIAMSON, ARTHUR M. ELLIS and
MABEL GUINN

Mrs. Laura Evertson King, who passed away at her home, 412 North Breed street, this city, on February 25, 1925, and who had been a resident of Los Angeles County for over 75 years, was born in Florida.

Mrs. King's father, Mr. John R. Evertson, was born in Poughkeepsie, New York. He married one of Pierre Morin's daughters in Savannah, Georgia, and lived there for some years. Later they moved to San Antonio, Texas. They had five children; two of them died during the cholera epidemic there in 1849.

Mr. Evertson decided to take his wife, who was quite ill, and the three remaining children and two negro servants to California.

In the fall of 1849, Mr. Evertson and his wife, who had to be brought in an ambulance, and Laura and her two brothers arrived at Chino Rancho after their dangerous overland trip. Here they rested for a short time, and on the 27th day of November, 1849, their caravan drew up at the Mission San Gabriel. Here they felt they had found a haven of rest, but as it was impossible to find a house, they went on to Los Angeles and took a house on Main Street, above the Plaza, where they remained for a year.

Mrs. King has written an account of their trip to California in an article entitled "A Little Girl's Diary," which she wrote for her grandchildren, and which she read to a few of her intimate friends. This has never been published.

Mrs. King came of French stock on her mother's side, her grandfather being Pierre Morin, born in Paris. Her father traced his Dutch lineage back to the Prince of Orange. Mrs. King said that when she was a young, growing girl there was a constant war going on in her mind while she was trying to decide whether to be French like her mother, or Dutch like her father. However, she greatly admired her father's even disposition, as he was always calm and cheerful, never letting anything disturb him, so she decided to cultivate these traits, and, although fate was often unkind to her, her friends can testify to her wonderful poise and courage. She commanded the admiration and respect of all with whom she came in contact.

In 1850 Mr. Evertson went to San Gabriel with his family, and rented one of the red-tiled adobe houses just north of the main mission building. Meanwhile, with the help of an Indian, Mr. Evertson was building their future home, among the olive trees, which was to be known as "The Locust." Here Mrs. King lived from the time she was eight years of age until she was eighteen.

The little adobe house which belonged to the mission and in which the family lived for a year contained but one room and an outside kitchen. In one end of the room were the beds, purchased in Los Angeles, and made by the Indians. The wool mattresses were also made by the Indians. At the other end of the room were a few chairs for guests, and a pine couch covered with chintz. Mr. Evertson served as an alcalde, or mayor, for the people, and also as a sort of major domo over the Indians, and often had to settle their quarrels; therefore, one end of the room had to serve as a jury room, or impromptu court room, many times.

Mrs. King often told us funny little incidents that happened during those early days in the mission grounds. She said that at one time the jury was made up of unusually large and heavy men, and that when several of them sat upon the couch it broke down and heels went up, and heads went down, much to the amusement of Laura and her two brothers who were on the opposite side of the room.

In "Reminiscences of the Mission San Gabriel," read before the Historical Society of Southern California, and published in the *Annual Publications*, Vol. XI, Part III, Mrs. King tells in a most fascinating manner of her early girlhood and surroundings, and her pleasant associations with Doña Victoria Reid, the Indian wife of Hugo Reid. Mrs. Reid was almost a queen among the Indians on their rancho and Laura, whom the Indians always called "Lalita," became a great favorite with them. This love which she felt for the Indians in her early childhood never left her, and she was interested in their welfare throughout her life.

One day last year we found in one of the bookstores a pamphlet called *Hugo Reid's Account of the Indians of Los Angeles County*, with notes and illustrations by W. J. Hoffman, M.D., curator of the Anthropological Society of Washington, D. C. This we took out and read to Mrs. King, and although she was suffering with neuritis, her eyes danced with delight as she listened to, and interpolated the reading with little incidents which she recalled. She said that Doña Victoria was a very bright and intelligent woman. Doña Vic-

toria furnished most of the material for Hugo Reid's letters on the Indians written for the *Los Angeles Star*. Among other things, Mrs. King said that Doña Victoria said that the shell the scientists and others call "abalone," should be called *agua-lona*, as the Indians on Catalina Island named it that, meaning it was a water shell.

She also said that her father, who took the first census of Los Angeles County, was poisoned by the poison oak as he rode on the windward side of the valley, but he found quick relief by making a decoction of the roots and leaves of the marshmallows, called by the Indians *malva*. This he bathed in, and the suffering soon left.

Mrs. King said that Doña Victoria taught her how to tell time by the sun, and she taught her many lessons of Nature which she found of invaluable help to her throughout her whole life.

In about 1860 Mr. Evertson moved his family into Los Angeles. They first lived on San Pedro street, but later moved into a home on Main Street near Third, across from Erkskine Thom's. Here Mrs. King was married to A. J. King, who became a member of the Legislature and later published the first *daily* newspaper in Los Angeles. The press and material of this was purchased from Col. J. J. Warner when he discontinued the *Southern Vineyard*.

Mr. King bought and remodeled the Thomas Sanchez home, which was back of the Pico house and which faced the Plaza. Here he took his young wife to live until things got too lively during the Chinese Tong war, and they moved farther out. Finally they lived very comfortably for many years on Seventh Street above the Foy home.

Behind the Sanchez home, lived Doña Teresa Sepulveda de Labarie, and it was she who told Mrs. King many of her stories and legends of the pre-American days. This woman was part Spanish and part Indian, and was for many years before her marriage to the Frenchman, named Labarie, the housekeeper for Louis Vignes. She was a devout Catholic and many of these interesting legends would have died with her had not Mrs. King written them for the Historical Society, for the *Los Angeles Times* and *The Grizzly Bear*, and thus preserved them for all lovers of the early romance and history of our county. A list of her articles published in the *Annual Publications* of this Society are found indexed in Volume XII, Part I.

As the stories and legends that have been published here in the city papers have not been indexed it may be well to add we have gathered the following data:

The Times of 1914—December 26th, Magazine Department published "Old Time Pleasures."

In 1915—April 3rd the same paper published the legend called "Simon Galavis." (This was first published in *The Grizzly Bear* in March, 1908. This last is the only reference to the writings of Mrs. King in the index of the State Library, according to data received from Mr. Milton J. Ferguson, the State Librarian.)

In 1916 *The Times* published the following: "The Fourth Tale of Doña Teresa," May 27, Mag. p. 13. "Gray Day of Chonita," July 8, Mag. p. 22. "Doña Teresa Tells Story of Doña Isabelle," Sept. 23, Mag. p. 9.

In 1917—"A Bit of Old California," from Doña Teresa's Book of Memory," Mar. 17, Mag. p. 20.

In 1904 Mrs. King copyrighted three of her stories under the title, *Old Mission Days*. This contains the story of "Wachula," "Pinocata" and "The Renunciation of Chona." There are several stories still unpublished.

Mrs. King left two sons, Mr. Francis King and Mr. Carroll King, and one daughter, Miss Corinne King.

Mrs. King was a woman who had strong faith in all God's creatures, no matter in what lowly walk in life, and her faith in her Creator never faltered, even in the most trying ordeals.

Mrs. King's personality is indelibly stamped upon the memory of all who knew her intimately, and through her poetic and facile pen she will live on and on as long as there are lovers of early history and folk-lore.

Mrs. King was a member of the Historical Society for several years. She became a member March 7, 1898, and although unable to take an active interest through all the years of its existence, her heart and interest were ever with the Historical Society of Southern California.

LILLIAN A. WILLIAMSON

ARTHUR M. ELLIS

MABEL GUINN

Committee.

In Memoriam

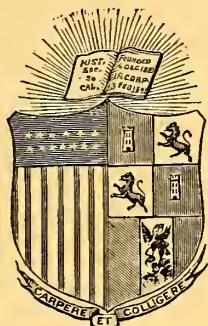
Dr. Norman Bridge
Senator Cornelius Cole
Judge Grant Jackson
Mrs. Laura Evertson King
William H. Knight
H. M. McDonald
Frank I. Wheat



Organized November 1, 1883
PART II

Incorporated February 12, 1891
VOL. XIII

ANNUAL PUBLICATIONS



HISTORICAL SOCIETY

OF

SOUTHERN CALIFORNIA

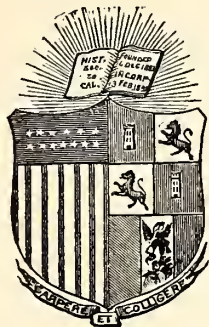
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SENTIMENT IN CALIFORNIA FOR AMERICAN GOVERNMENT AND ADMISSION INTO THE UNION

BY GRACE E. TOWER

(Copyright 1927)

Editor's Note.—This paper presented as a thesis to the Department of History, University of Southern California, in partial fulfillment of the requirements for the degree of Master of Arts and later presented in a summary form before the Historical Society of Southern California, is published as prepared in the thesis form, only omitting the detailed "Contents." The entire paper with ample footnotes and the extensive bibliography is presented for it is considered by the editor as a real contribution in the period of California History which it covers. The Bibliography is of such value as to amply warrant the use of the space given over to it. The entire paper has a degree of merit in research and composition not frequently found in such papers.

ROLLAND A. VANDERGRIFF

PREFACE

The present thesis represents an endeavor to bring within the limits of one paper the available evidences and expressions of sentiment among the people of California for American government and admission into the Union. The effort is made to collect the material and make it accessible to the many who have not the time or the desire to discover and read the vast amount of historical literature and source materials which contain the record.

GRACE E. TOWER.

Los Angeles, Calif.

Chapter I

THE UNIQUE POSITION OF CALIFORNIA IN ACQUIRING STATEHOOD

INTRODUCTION

California stands unique among the states of our nation as being the only one in which the people existed under indefinite military government and finally established and continued under a state form of government prior to their admission into the Union as a full-fledged state. Five other states were admitted without previous territorial organization, but these had definite forms of government up to the period of state organization. "Vermont and Texas had been independent republics; Maine had been under jurisdiction of Massachusetts; Kentucky and West Virginia were set off from Virginia."¹

Tennessee had sought to gain admission into the Union as a state and had failed, Utah was seeking it and was destined to fail. California succeeded, although composed of a heterogeneous population of Mexicans, early Spanish residents and an influx of foreigners brought to her by the gold rush of 1849, and having unsettled social, economic and legal conditions due to her rapidly increasing population.

Existing Sentiment in Favor of England.—In addition to these unusual conditions, we find statements of contemporaries to the effect that there existed in California prior to 1847 a sentiment for an English protectorate.² The ill feeling of the Mexicans themselves against their own government is easily seen. We read that—³

The American colony was on the *qui vive*, watching every movement; rumors were rife of the intention of the leading Californians to throw off the yoke of the Mexican government, and seek protection under the flag of some strong foreign power; the dominant sentiment among the Californians was strongly in favor of the English Government.

An article which appeared in *The Californian*, March 20, 1847, reviews this opposition to the incompetent Mexican rule and desire for English protection. We quote in part:

California was a disconnected province or department of a nation badly governed, subject to constant revolution and change at the will of every ambitious politician who might gain influence

1. *Statistical Abstract of the United States*, 1923, 1.

2. Willey, S. H., *Thirty Years in California*, 6-7; Swasey, W. F., *The Early Days and Men of California*, 57.

3. Swasey, *op. cit.*, 57.

with the people. It was settled originally by Priests, who were displaced mainly by adventurers, and sufficient time has not yet elapsed, for society to become fixed upon any regulated system, and therefore illy qualified for self government. The mother country being unable to afford the protection which she required, many of the thinking men turned their eyes to some other quarter. A strong party was in favor of asking protection from the United States, and actually commenced making preparation for a formal request to that effect. Another very respectable party was in favor of asking protection from Great Britain. The British party was the party in power and in all human probability, but for the war with Mexico, and the consequent taking of California by the Naval forces of the United States, the country would have been offered to the English Queen, and the British Lion would have reared his proud head in Monterey, where now the glorious Stars and Stripes are unfolding to the breeze.

General Alexander Forbes, writing as early as 1839,⁴ refers to the English plan of seizing California in payment of the Mexican debt, a fact supported by H. J. Raymond, who in 1846 gives an excellent account of the British efforts to gain a foothold in California.⁵

Thomas O. Larkin, coming to California from Massachusetts in 1832, believed that war was probable with Mexico in April, 1845, but that there was little evidence of the same with England, as that government was occupied with the passage and enforcement of the corn laws.⁶ The hostility of the Americans toward the English is shown a short time later when he wrote to William A. Leidesdorff, Vice-Consul of the United States at San Francisco.⁷

Again, great care should be taken that no Subjects of other nations should be compelled to come out for or against the party, let them alone, they are coming without any coercion, force may call the attention of some English Naval Captain. . . and injure the party.

The same year he warned Vice-Consul Leidesdorff, "In all letters or verbal correspondence with the English Vice-Consul of your port, be very guarded, in fact I know of little business officially you need have with him."⁸ During the same year, Larkin in his correspondence made several ref-

4. Forbes, *California*, 152. "There have been some thoughts of proposing to the Mexican government that it should endeavor to cancel the English debt—which now exceeds fifty million dollars—by a transfer of California to the creditors. This would be a wise measure on the part of Mexico, if the government could be brought to lay aside the vanity of retaining large possessions. The cession of such a disjointed part of the republic as California would be an advantage. In no case can it ever be profitable to the Mexican republic, nor can it possibly remain united to it for any length of time, if it should ever be induced to rejoin this state, from which at present it is to all intents and purposes separated. Therefore, by giving up this territory for the debt, would be getting rid of this last for nothing. But would the English creditors accept it? I think they might, and I think they ought."

5. Raymond, H. J., "California," *American Review*, Jan., 1846.

6. *Leidesdorff MSS.*, Huntington Library. Letter from Thomas O. Larkin to Wm. A. Leidesdorff, Apr. 23, 1845.

7. *Ibid.* Letter written July 5, 1845.

8. *Ibid.* Letter written Nov. 25, 1845.

ferences to the fact that the English Vice-Consul to California had refused to acknowledge his (Larkin's) Vice-Consulate.⁹

The sentiment on the part of the Americans in California against this British interference is expressed in the columns of *The Californian* for August 29, 1846:

British Interference.—It has been surmised by some that England might interfere with the flag of the United States in California. But such an interference would be tantamount to a declaration of war, a crisis for which England is not prepared, with Ireland in a state of rebellion and her East India possessions in revolt, she has as much as she can do at home. Besides war would plunge in ruin her vast manufacturinig population, who derive the raw material from the United States, and also swell her national debt, which is now almost insupportable.

California.—The destiny of California is fixed—she is to become a free and independent state—a member of the North American confederacy. She is no longer to be subject to a foreign arbitrary power, to domestic revolutions or military rule. She is to make her own laws, manage her own resources, and found those institutions in which her children are to find a happy home.

The following month *The Californian* for September 26, further upheld its views in an editorial based upon a comment in a New York paper:

England and Mexico.—The last New York *Mirror* contains a long and interesting extract from the forth coming work of General Waddy Thompson, on Mexico. His opportunities and information, while our minister to that country, and his ability, both entitle his opinions to great respect; and we are therefore glad to find that he expresses his conviction that Great Britain, so far from desiring a war between Mexico and the United States, is deeply interested in the preservation of peace between the two countries. He states that the popular impression that English influence is in the ascendent in Mexico, is entirely erroneous, and that, so far from this being the fact, the general feelings of the Mexicans towards the English is unfriendly.

Before hostilities commenced there was no nationality looked upon with more dislike than the Americans in California. From the time of the Lewis and Clark expedition, the United States had kept itself informed concerning affairs in California. Thomas O. Larkin had freely communicated facts and satistics to the United States government.¹⁰ He had W.

9. *Ibid.* Letters written Nov. 25, 1845; Dec. 5, 1845.

10. Swasey, W. F., *The Early Days and Men of California*, 81. Swasey denies that Larkin carried on secret negotiations for the peaceful cession of California to the United States. That he was confidential agent, however, is evidenced by the following extract from a letter written by James Buchanan, Secretary of State, to Mr. Larkin from Washington, Jan. 13, 1847. *Vallejo MSS.*, Huntington Library.

"In your despatch, under date 27th of August last, you state that our conquest of California being completed, your 'official capacity as United States Consul has expired' and after tendering your services in any way which may be conducive to the interests of our cause in that country, you express the hope that 'in the meantime until our relations with Mexico are fully settled and understood by Treaty, securing California to the Union, you may be continued in your confidential agency.'

"I thank you for the offer of your services and have determined that under the circumstances of the case, you continue at least for the present as confidential agent in the Californias."

F. Swasey make a brief biographical sketch of the leading California citizens, giving Mr. Larkin's opinion of how they would view a change of flag.¹¹ Larkin directed that they should be sealed up and not opened until his death.¹² Swasey states that they favored the United States, England and France.

Influence of M. G. Vallejo Favors the Americans.—A convention of leading citizens called by Governor Pio Pico met at the home of Mr. Larkin at Monterey in the later part of March or early in April, 1846, for the purpose of discussing the matter of foreign protection. Among those present at this *junta* were such men as General M. G. Vallejo, Don Pablo de la Guerra, General Jose Castro, W. E. P. Hartnell and David Spence. According to S. H. Willey,^{13a} it was General Vallejo's timely action in favoring an independent republic, with the ultimate object of coming into the American Union, which furthered the differences between the leaders, and prevented the likely establishment of an English protectorate. Great credit is due General Vallejo in thus espousing our cause and avoiding possible future complications.

W. F. Swasey, who occupied an adjoining room, writes that—^{13b}

he gathered distinctly that the main subject of their discussion was the suggestion, or the proposition, of throwing off the trammels of the Mexican Government, and seeking protection of some foreign flag. Several speeches were made, mostly in favor of England; but the meeting finally

11. Swasey, *op. cit.*, 81-82.

12. That this sketch was strictly private is denied in a letter written in December, 1847, by John D. Sloat to Hon. James Buchanan, Sec. of State. *Larkin MSS.*, Bancroft Library, Vol. V, 364. We quote the following:

"N. Y., Dec. 23, 1847.

"Sir:

"I have the honor to acknowledge the receipt of your letter of the 25th inst. with an extract of a letter from T. O. Larkin, Esq., U. S. Consul at Monterey, annexed—dated 29th Apr., 1847, wherein he states he sends his 'descriptions of the Commerce, Resources and People of California. . . . The originals I sent the first of 1846. The duplicates and some fifty copies of Proclamations and letters relative to California from January to June, 1846, I sent by Commodore Sloat. While he had command on this station I lent him a copy expecting him to return it to me for the use of his successors on this coast, he took it to the United States with him.'

"I cannot understand why Mr. Larkin should now be so fastidious that his 'private opinions of the character of the people of California should be in the possession of any person out of the Department' as I am confident that several officers of the Squadron were furnished with copies and others might have had them if desired. . . .

JOHN D. SLOAT."

The Hon. James Buchanan,

Secretary of State

Washington, D. C.

13a. Willey, S. H., *Thirty Years in California*, 6-7.

13b. Swasey, W. F., *The Early Days and Men of California*, 56-58.

wound up with a speech made by General Vallejo, the purport of which was that when the time arrived when it should become necessary for the well-being of the Californians to change their allegiance from their mother country, he would be most earnestly and emphatically in favor of appealing to the United States.

This meeting adjourned, Swasey states, without taking any definite action.¹⁴

Few of the native Californians agreed with General Vallejo in his espousal of the cause of the United States. We find a letter from Pio Pico to M. G. Vallejo in which he disapproves of the latter's conduct.¹⁵ A letter from Manuel C. Castanares dated Apr. 3, 1846, expresses the feeling that the coming of the Americans was not what had been anticipated, stating that the result must be greatly felt by both, having worked for their country's defense and progress.¹⁶ A letter by R. B. Cooper, dated at Monterey, June 7, 1847,¹⁷ refers to the rumors which were extant among the Spanish Americans to the effect that Vallejo had taken oath and arms in favor of the United States and against his countrymen. He urges Vallejo to disillusion them, as many believe it to be the truth.

Although released as a prisoner after the Bear Flag episode in June, 1846, and on parole of honor from Commodore Stockton a few months later not to move against the United States authorities, Vallejo's real interests were with the United States and were not forced as a result of his position. Official recognition by the United States of the importance of Vallejo's attitude in moulding the sentiment of the native Californians is seen in the extant letters written to General Vallejo by Commander J. B. Montgomery,¹⁸ U. S. Consul Thomas O. Larkin,¹⁹ F. D. Atherton,²⁰ F. W. Boggs,²¹ and J. W. Revere.²² The following friendly letter from John B. Montgomery to General Vallejo, thanking him for having been instrumental in restoring order in the country, is an example of the many private letters which might be cited.

14. Swasey, W. F., *The Early Days and Men of California*, 58. Swasey states that Bancroft denies that such a meeting was ever held and that General Vallejo's speech is the creation of his imagination. Swasey states that he is in possession of a letter from General Vallejo denouncing Bancroft's assertions in "most vigorous and justly indignant terms."

15. *Vallejo MSS.*, Bancroft Library, Vol. XII, 204.

16. *Ibid.*, Vol. XII, 201.

17. *Ibid.*, Vol. XII, 271. "*que le han dicho que V ha tomado juramento y armas en favor del Americanos, ahora es bien tiempo para que V pueda desenganar la jente porque muchos Californias lo crean que es verdad.*"

18. *Vallejo MSS.*, Bancroft Library, Vol. XII, 236, 242, 244.

19. *Ibid.*, Vol. XII, 262.

20. *Ibid.*, Vol. XII, 274.

21. *Ibid.*, Vol. XII, 276.

22. *Ibid.*, Vol. XII, 265.

U. S. Ship Portsmouth,
Yerba Buena, Sept. 25, 1846.

My Dear General:

Your favor of the 25th inst. I had the honor to receive yesterday giving me information of your proceedings under one letter of instructions you received from me on the 10th instant,—and reporting the dismissal of California volunteers who were associated with you in this temporary service of the United States. Permit me in return, my dear Sir, to express to you individually and in behalf of my government my hearty thanks for the service you have rendered, as well as for the prompt and sincere manner in which you were pleased to tender your assistance to the government of the United States in the recent emergency, and in thus feebly expressing my obligation to you I desire also to convey them to your recent associates in arms, who were acting under your orders, whose ready obedience to your call on behalf of our existing authorities has done much toward allaying national prejudice, and unfriendly suspicions among the various classes composing the society of California, and of hastening arrangements for our establishment of peace, order and good government in the country, the blessings of which I trust, through the mercy of a kind providence will soon reward their faithfulness. Be pleased my dear Sir to present my most respectful regards to Madame Vallejo and accept the sincere expression of my friendly regards. I am dear Sir your obedient servant,

John B. Montgomery,
Com. Northern Dept. of San Francisco.
N. California.

To Gen. Don M. G. Vallejo
Sonoma.

N. B. I am now living on board the ship and should be much gratified to receive a visit from you.

Respectfully, J. B. M.

Public recognition of General Vallejo's attitude was made by United States Consul, Thomas O. Larkin, through notification of Vallejo's appointment as a member of the first legislative council to convene in California. In this appointment Larkin makes the significant statement. "If you accept, many Californians will by degrees accept office."²³ A subsequent letter, written by Walter Colton to General Vallejo and urging him to accept the appointment, illustrates this sentiment regarding the latter's influence over his countrymen and makes us realize the importance of the final acceptance of the office.²⁴

Monterey, Jan. 31, 1847.

Dear Sir:

My partner in the Californian—Dr. Semple—has often spoken to me of you, as we have often expressed the desire to each other that you might consent to be a member of the first legislative council. It is all important to take wise steps to make a good impression at first. There is no man in California who better understands her true interest than yourself. Your information, talent and weight of character are greatly to be desired in the first legislature. We fear too should you decline a seat

23. *Vallejo MSS.*, Bancroft Library, Vol. XII, 262.

24. *Vallejo MSS.*, Vol. XII, 267.

in the counsel it might be ascribed by the Californians to a want of confidence in the government or a disaffection to it. This as Americans all know would not be true. But a great many Californians would think it was true. We are all therefore deeply desirous that you should accept the appointment. It will take you but a few weeks from your family—as the next meeting of the Legislature is to be here in Monterey, and the third nearer still to your own door. Excuse my freedom in urging your acceptance of the appointment as a duty to California in the present crisis. It is understood here that Governor Alvarado has accepted.

With great respect, I am, dear Sir,

Your obedient Servant,
Walter Colton.

General Vallejo,
Sonoma.

Let us conclude these statements regarding the able influence of Vallejo in moulding the sentiment of the Californians, with this extract from a tribute which appeared in *The Californian*, Apr. 3, 1847:

General Mariano G. Vallejo

In all the revolts and disturbances of the past year, General Vallejo has taken no other part than to advise his countrymen not to oppose the United States, seeing as he did, that their every interest was concerned in the early closing of all disturbances in the country, and the firm establishment of the Stars and Stripes over his beloved California.

The general is highly liberal in all his views of public policy, as we say at home "a self made man". May he long live to enjoy the advantage obtained under the government of the United States—to see a flourishing town rise at "Francesca" and his children enjoy the blessings of the Public Schools, which he has so liberally endowed at that place, for the public good.

It is not surprising that the majority of the natives were ill pleased at the coming of a foreign race, which outnumbered them three to one in a single year. Naturally they did not wish to see their own government, even though lax, replaced by that of the Americans or any other people. There were, however, families of pure Castilian blood who generally had little feeling of nationality in common with the Mexicans, and these largely supported the Americans.²⁵

Doubtless the Americans were slightly to blame for the sentiment on the part of the Mexicans. Thomas Larkin wrote to Leidesdorff, Vice-Consul at San Francisco, to—

use every care as an officer, to prevent our countrymen from trying to injure or browbeat the people of the country—be a pacifist between both and in the end you will meet your reward in seeing affairs brought to a happy conclusion and California flourishing as so fine a country must flourish.²⁶

25. Taylor, Bayard, *El Dorado*, I, 144.

26. Letter written Apr. 27, 1845, *Leidesdorff MSS.*, Huntington Library. *Ibid.*, in a letter of May 24, 1845, Larkin predicts trouble, loss of life and property during the year.

I. L. Folsom, writing to M. G. Vallejo, November 30, 1847, states,²⁷

I believe it will be easy to show that well disposed Californians were driven into hostility by the ill-advised, injudicious, and dishonest conduct of our own agents, and that the country has been constantly agitated, and much of the time in open hostility to the Americans.

Sentiment for an Independent Republic.—There existed in California a sentiment for an Independent Republic. It resulted in the raising of the Bear Flag at Sonoma on June 15, 1846. This, however, assumed no serious proportions, but it is to be noted that it continued even after the raising of the American Flag at Monterey on July 7, 1846. According to S. H. Willey, General Bidwell writes that,²⁸ the next day (July 12), while the party were stopping for dinner on the Mokelumne River, the beforementioned agreement to strike for an Independent Republic, so extensively signed at Sonoma, was brought out and signed by all those whose names were not on it before.

How was it possible out of such varied and apparently uncontrollable conditions to formulate any adequate government, and moreover a state government? It is our purpose in the following pages to set forth clearly the evidences of sentiment, as found in the writings of men of that period, which led to the desire for statehood and finally culminated on the 9th of September, 1850, in the admission of California as the thirty-first state of the Union.

27. *Leidesdorff MSS.*, Huntington Library.

28. Willey, S. H., *Thirty Years in California*, 13.

Chapter II

CALIFORNIA UNDER SPANISH AND MEXICAN RULE LAID THE BASIS FOR AMERICAN SENTIMENT

Spanish "Sluggishness" in Developing California.—Conditions existing in California prior to the coming of the Americans laid the basis for the strong sentiment in favor of the admission of California as one of the states of the Union. Spain had for nearly three centuries held the country and had never dreamed of its real value, or "in their sluggishness deemed the development of its resources possible."¹ Lacking the vision of future possibilities, she lost her opportunity in merely procuring the necessities of life and indulgence in pleasurable pursuits. Under the indifferent Mexican rule which followed, progress was impossible, great cities could not develop, lands would have continued to lie in waste, commerce would not advance.

It remained for the American Government to transform this land into a great commercial emporium. Even if the discovery of gold had not imparted such an impetus to the development of this land, its natural advantages would not long have remained unknown to the more progressive people of the East. The Anglo-Saxon would not long remain blind to the agricultural and commercial advantages so easily overlooked by the easy-going Spaniard.

California, after three hundred years of Spanish rule, was still in the primitive pastoral state;² it was the land of the ox-cart, of the antique plough and of the hand husking of the maize. Even with the immense number of cattle roaming over vast tracts of land, no attempt was made to reap advantage from their milk, and dairying was neglected.³ No foreign commerce was carried on. The only communication from Mexico was the transmission of the annual supplies to the missions. The immense advantages of location, soil, climate and other natural advantages, "had not the power to rouse the dormant energies of the Spaniard. It appeared as if those extraordinary bounties of nature had the effect of lulling them into apathy."⁴

1. Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, 181.

2. Wilkes, Charles, *Narrative of the United States Exploring Expedition*, 168-169; Forbes, Alexander, *California*, 268-271.

3. It is stated that as late as 1834, a Mexican officer, who stopped at the port of Monterey, found that the inhabitants of that town were actually supplied with butter and cheese from the Russian settlement of La Bodega. Forbes, *op. cit.*, 271.

4. *Ibid.*, 288.

That this policy must result in the passing of California into the hands of another nation was inevitable and desirable. We read that,⁵

For more than three hundred years it had been under exclusive Spanish dominion. Yet up to the present time, notwithstanding its immense advantages for trade, it has no commerce; in spite of its fertility, it has no agriculture; its water power and ability to yield a bountiful supply of every raw material, have not erected a solitary manufacturing establishment within its borders; and the whole country is even now as far removed from the high and palmy state of wealth, cultivation and power of which it is susceptible, as it was before the Spaniard Cabrillo; in 1542, first explored its coast and landed upon its shore.

We have already remarked that the inevitable course of events . . . must 'ere long, place California beneath other sovereignty than that which now benumbs its power and stifles and stagnates its undeveloped energy. And not only is this result inevitable, but if the considerations we have adduced have any weight, it must be regarded, upon every principle of a wide expediency, as highly desirable. It is a consummation upon which every reflecting person must look with pleasure and hope.

Blighting Effects of the Mexican Government.—Under the feeble government of Mexico, after its independence from Spain in 1821, we find that the condition in California was little better.⁶ The revolutions brought consequent insecurity to property and person.⁷ The "Department of California" was divided into Upper, or Alta, and Lower, or Baja, California. Upper California was entitled to elect a deputy to the National Cortez. This deputy had the right to speak on all subjects but no right to vote. Forbes, the English Consul to California, writing in 1839, states that the last deputy to the Mexican Congress informed him that during the two years he served, he received only two letters from California while he was in Mexico.⁸ Advices were not received in Mexico from Monterey more than once or twice a year. All confidence on the part of the Californians in the Mexican government was gone.⁹

5. Raymond, H. J., *California*, 85-86.

6. *California—Its Past History; Its Present Position; Its Future Prospects*, (Anon.), calls attention to the fact that the government was not alone to blame for the neglect of the resources of California. The native residents of the Spanish race were indolent, proud, and pleasure-loving and "Anything approximating a systematic industry was unknown among them." P. 65.

7. Wilkes, Charles, *Narrative of the United States Exploring Expedition*, V, 163.

8. Forbes, Alexander, *California*, 298.

9. Extract from the N. Y. Herald, given in *The Californian*, Aug. 22, 1846: "Mexico, from certain causes, is now the meanest and lowest in the category of nations. Her people are ruled with a rod of iron, and are sunk in imbecility and infamy; her military rulers are the most despotic and mercenary that ever exercised power; through the effects of successive revolutions, all confidence in government is gone—she is without an army or navy, and her coffers are empty. There is a never-ending struggle, by a set of designing men to attain the management of the national affairs, and the only principle that guides them is self-aggrandizement. Such is the condition of Mexico at the present time, and such it has been for a number of years."

Strange to say, the Mexican Congress had the power to form territories into states, but prior to that time no provision was made for their government:

Although the power of neither legislature nor president in regard to territories was defined, the cortex passed laws for the government of California, and the president appointed a governor.¹⁰

It is readily seen that such legal supervision would be very indefinite, especially when little attention was paid to the province of California.¹¹ Later to bridge over the gap, a "*Junta de fomento de Californias*" was organized, having power to make plans and suggestions in regard to California, but powerless to enact laws. There is no evidence that a general system of laws recommended by them on May 27, 1827, was ever adopted.

The Mexican colonization decree of August 18, 1824, and the supplemental decrees of November 21, 1828, provided for the colonization of Mexican territory. The decree of March 20, 1837, related to the political organization and internal government of the departments of the Mexican Republic; that of May 23, 1837, related to the organization of the judiciary. These laws were the general statutes enacted for all Mexican territory, and no codified system was in existence in California.¹² We find no definite statement regarding the internal organization of the California government, so that when Commodore Sloat raised the American flag at Monterey, July 7, 1846, California was existing under very indefinite legal conditions.

The alcalde was found in each center of population and was the one officer whom the people knew. He judged both the meaning of the law and its application. One might appeal from his decision to the governor, but in small matters his decision was final, his hasty decision often being influenced by circumstances of the moment. At other times his decision might be unnecessarily slow. The judicial functions of the alcaldes had long been recognized by tradition, and we find reports of many peculiar actions being taken by them.¹³ They might send any person to prison on the slightest pretext and keep him there during their pleas-

10. Rodman, Willoughby, *History of the Bench and Bar of Southern California*, 13.

11. Bancroft, H. H., *History of California*, IV., 113.

12. For detailed statements regarding these laws, see Rodman, *op. cit.*, 13; Hittell, Theodore H., *History of California*, II, 776.

13. Wilkes, Charles, *Narrative of the United States Exploring Expedition*, V, 171; "Nothing can be in a worse state than the lower offices, such as Alcaldes, etc. They are now held by ignorant men, who have no ideas of justice, which is generally administered according to the alcalde's individual notions, as his feelings may be enlisted."

ure, with the result that the prisons were more full than during the time of the Spanish rule.

This unjust oppression created a feeling of disgust on the part of many, and a willingness to embrace some foreign rule, a sentiment which was felt by the Mexican politicians at home.¹⁴ Had Mexico adopted a wise system of colonization laws and a liberal policy, the foreigners coming across the mountains would not have found it as easy to establish American government in the new land. This is seen in an extract from an editorial which appeared in the *Californian*, March 29, 1848.

Under the government of Mexico agriculture was neglected; the mechanic arts almost unknown and schools forgotten. The consequences were, vice existed in all its forms, and usurpation became instilled in the breast of the wealthy and powerful. The country was rife with revolutions and discord. Trade and commerce was only known to the extent of the hides and tallow produced. . . .

On the memorable 7th day of July, 1846, the flag of the American Republic spread its stars and stripes in the breeze, and foretold the coming of a new order of things, to the great joy of a great portion of the inhabitants. . . .

Peace being restored, the natives returned to their homes, and the immigrants suited themselves to the various employments that demanded their attention.

Uncertainty of Land Titles Under Mexico—The insecure land titles under the indefinite land legislation of Mexico proved a just cause of irritation to the inhabitants. Many immigrants, coming seawards or working their way upland from Mexican mines and inter-marrying with Spanish families that came this way under empresarios, failed to comply with the formality of the colonization laws or receive grants directly from the governors. Little did they dream that foreign interference would call their title into question. Later, because of their demand for money, many sold out to American speculators who, at first ignorant of the Mexican law and language, consummated deals, only later to become cognizant of the invalidity of their conveyances.¹⁵ Thus great areas of land, especially those with imperfect titles, changed hands within an incredibly short space of time,¹⁶ and as our laws had not been extended over it, the people were compelled to receive such titles as were offered them.¹⁷

The condition at this period may be best understood by a survey of the Mexican and Spanish grants as made later by William Carey Jones, appointed as special agent from Washington. After a search among the archives and records

14. Forbes, Alexander, *California*, 184.

15. See Report of R. B. Mason to Brig. Gen. R. Jones, Adj. Gen., Washington, U. S. A., *California Message and Correspondence*, 118.

16. Kelly, Wm., *An Excursion to California Over the Prairie, Rocky Mountains and Great Sierra Nevada*, I, 198-199.

17. Report of T. Butler King, Appendix to Bayard Taylor's *Eldorado*, II, 202.

of the government, he published a clear and concise report.¹⁸ He outlined somewhat at length the Mexican Colonization Law of August 18, 1824, upon which California land legislation was based. This report stated that from May, 1833, to May, 1836, the grants were recorded, but subsequent to that time no actual record was kept with the exception of a brief memorandum of the grant. Sometimes the grants were registered in the office of the prefect, but no general record was kept in permanent form. The final step was the approval of the grant by the "Territorial Deputation," later called the "Departmental Assembly," and this was the cause of much embarrassment. After the governor had communicated to the assembly the fact of the grant, it was referred to the Committee on Vacant Lands or Agriculture, whose approval was seldom refused. It is in the laxity of the proceedings in this connection¹⁹ that we find the weakness of the Mexican system becoming apparent, with the resultant discontent of the land owners and a rising sentiment for a change from Mexican rule.

The hazardous nature of such proceedings is further enhanced when we realize that there were no regular surveys made of grants under the Mexican government. There was no authorized surveyor in the country. Even the suitable landmarks which were to be erected were seldom complied with. The following letter, written by E. I. Bidwell to Thomas O. Larkin, reveals the dissatisfaction which resulted from these lax methods in regard to land surveys.²⁰

New Helvetia, Aug. 5, 1847

Thomas O. Larkin, Esq.

Sir:

Permit me to ask you for a little information with regard to the surveying of lands in this country. The Mexican law, I suppose, is still the law of the land in a great measure, and will continue to be so until the country is formally ceded to the United States, and even then lands that have been granted by Mexican law will have to be measured by that law. Why then does not the Governor, or why does not the re-

18. Jones, William Carey, *Report on the Subject of Land Titles in California*.

19. William Carey Jones in his report states that,

"The approval was seldom refused; but there are many instances where the governor omitted to communicate the grant to the assembly, and it consequently remained unacted on. The approval of the assembly obtained, it was usual for the secretary to deliver to the grantee, on application, a certificate of fact; but no other record or registration of it was kept than the written proceedings of the assembly. There are, no doubt, instances, therefore, where the approval was in fact obtained, but a certificate not applied for, and as the journals of the assembly, now remaining in the archives are very imperfect, it can hardly be doubted that many grants have received the approval of the assembly, and no record of the fact now exists. Many grants were passed upon and approved by the assembly in the winter and spring of 1846, as I discovered by loose memoranda, apparently made by the clerk of the assembly for future entry, and referring to the grants by their numbers—sometimes a dozen or more, on a single piece of paper; but of which I could find no other record."

20. *Larkin MSS.*, Bancroft Library, Vol. V, 199.

spective alcalde require lands to be measured according to the old custom of the country, which I presume is according to law.

It appears to me that our Alcaldes do not appear to know their duty in regard to land surveys or why do they permit everyone to employ surveyors and have his land surveyed as he pleases.

Do they think because Justices of the Peace have nothing to do with surveys in the United States that the Alcalde and Justices have not here? Is it not better to check a dispute in the beginning than to let it grow into expensive and grievous lawsuits.

I make these remarks because I have seen surveys in operation near Sonoma which are really aggravating difficulties instead of settling them. It is better to have a survey right in the first place which will save the necessity of doing the matter over again. The surveyors are not to blame but the Alcalde.

Perhaps the Governor is not aware of this good and legal mode of adjusting land claims, and your influence, you having had long experience in this country, might induce him to issue an order to this effect that the respective Alcaldes authorize and sanction surveys and settle as far as possible all land disputes upon the ground in their several districts.

This will save interminable trouble hereafter.

In the meantime believe me to be

Your Obedient Servant,

E. I. Bidwell.

The report of William Carey Jones, although not published until 1850, had the effect of disposing the Mexican grantees to a more favorable sentiment toward the United States.²¹ Up to that time the land and lot speculators avowed their attention of forming and joining in a counter-revolution, rather than have their property wrested from them. They then saw that the United States would probably give a fair estimate of their cause, and a favorable settlement would result. This "oil upon the troubled waters" was much needed at that period of California history.

The Americans in California seized the opportunities offered by the lax rule of Mexico to influence the sentiment of the native Californians in favor of the American government. They called attention to the fact that Mexico had no real interest in California in times of peace, while the Americans were their best friends; that Mexico deserted the Californians in time of war, while Americans offered them every advantage; Mexico said, "In time of peace you must give us all you make, and in time of war you must take care of yourselves;"²² as a state of the American Union, they would enjoy freedom of thought and action. They would be protected in their rights, and would elect their own officers, and, the writer continues, all power would be in your hands, and your officers would be the mere executors of your decisions Reflect on these things then decide what you will do.

21. Kelly, William, *An Excursion to California*, I, 210.

22. *The Californian*, Sept. 5, 1846.

Chapter III

INTERNAL SOCIAL AND ECONOMIC CONDITIONS FOLLOWING THE PERIOD OF CONQUEST FOSTERED THE SENTIMENT FOR AMERICAN GOVERNMENT

Rapid Growth in Population.—Social, economic and governmental conditions existing within the borders of California after the period of conquest in 1846 were such as to create a strong sentiment for admission into the Union as a full-fledged state. Conditions would not warrant a territorial form of government. The population of 10,000 in the summer of 1846 lived under much simpler conditions than those encountered by the population of 26,000 in January, 1849.¹ The first census taken in 1850, showed a total population of 92,597. California became a state of wealth and power without a corresponding change in the environment in which that added life must be carried on. "One short year had given her a commercial importance but little inferior to that of the most powerful of the old states. She had passed her minority at a single bound and might justly be regarded as fully entitled to take her place as an equal among her sisters of the Union."²

The discovery of gold did for the cities what it was reasonable to expect that time alone could do. It was predicted that this alone would make California one of the states of the Union, and that speedily.³ The influx of population was composed largely of Americans from across the mountains, men who had never been accustomed to other than American laws administered by American courts. We find extracts from the *New York Tribune*, January 26, 1849, and the *San Francisco Call* of 1880, showing that the best class of citizens left for the New Eldorado.⁴ Reports from the settlements in Oregon told of the abandonment of their homes to seek fortunes in California, those who could not pay for their passage by sea undertaking the journey on foot. So great was this emigration from Oregon that it was

1. On Jan. 1, 1849, exclusive of Indians and Africans, the population numbered 13,000 Californians, 8,000 Americans and 5,000 foreigners. Hittell, Theodore H., *History of California*, II, 819. Cf. Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, II, 301.

2. Report of Hon. T. Butler King, Washington, March 22, 1850. Found in Appendix to Bayard Taylor's *Eldorado*, 1850 Ed., II, 204.

3. Johnson, Theodore T., *Sights in the Gold Region*, 255.

4. Cited in William Grey's *A Picture of Pioneer Times in California*, 98.

feared by one writer that the country would be almost abandoned by the working classes, and all improvements suspended because of the want of hands to continue them.⁵ These emigrants, arriving in California only to find "their rights of property and person subject to the uncertain and frequently oppressive operation of laws written in a language they did not understand, and founded on principles, in many respects new to them,"⁶ naturally expressed a desire for a better form of government than that in effect.

Conditions of Labor.—Young men of education coming to California found that labor was worth more than head work and hence turned to manual pursuits. Mexicans, Englishmen, Russians and Americans all lived together in one intense scramble for gold. Industries in the cities were neglected. The *Californian*, unable to obtain necessary labor, suspended its publication from May 29, until July 15, 1848. Stewards and cooks could only be obtained with difficulty.⁷ Sailors deserted for the mines, and once they reached the shelter of the woods they were perfectly safe, as no person dared go after them.⁸ Proclamations of the military governors urged the people to lend their assistance in the apprehension of deserters.⁹ On November 24, 1848, Colonel Mason in a letter to Brig. Gen. R. Jones, states that as long as the gold mines continue to yield the great abundance of metal, it would be impossible to keep soldiers in California, as they would not serve for seven or eight dollars per month when laborers and mechanics were receiving from fifty to one hundred dollars.¹⁰ The strong sentiment for an American civil government which would give security to life and property is seen when he adds,

I cannot too strongly recommend a territorial government to be organized in California at the earliest moment possible, if it has not already been done. There is no security here for life or property; and, unless a civil government is speedily organized, anarchy and confusion will arise, and murder, robbery, and all sorts of crime will be committed

5. Letter from James Douglas, Fort Vancouver, Feb. 10, 1849, to I. L. Folsom, *Leidesdorff MSS.*, Huntington Library.

6. Report of T. Butler King, Appendix to Bayard Taylor's *Eldorado*, 1850 Ed., II, 201.

7. Brown, John H., *Reminiscences and Incidents of the Early Days of San Francisco*. An Englishman from the mines had with him twelve Chinamen whom he could engage in work at the hotel at \$1,200 per month, but even then he could not make a contract with them for more than a month at a time, while they finally only remained three months.

8. *Ibid.*

9. Proclamation of R. B. Mason, *Californian*, Aug. 14, 1848; Proclamation of Gen. B. Riley, May 6, 1849, *Vallejo MSS.*, Bancroft Library, Vol. XXXV, 116. "These civil authorities, however, can do little towards enforcing the laws without the countenance and assistance of the people themselves. . . . It is hoped, therefore, that all good citizens will give the civil and military authorities their cordial aid and cooperation in the execution of their duties and maintenance of public order."

10. *California Message and Correspondence*, 648.

with impunity in the heterogeneous and mixed community that now fills California.

Growth of Cities—Public Disturbances.—A corresponding need and sentiment for a better government was brought about in the cities. The easily acquired gold was spent just as easily. There were more speculative schemes conceived and executed, more money was made and lost, more changes of fortune and more crime could be found than in any country of the same size elsewhere. In short, one contemporary declared that, "People lived more there in a week than they would in a year in most other places."¹¹ Men required liquor to stimulate them and the saloons were crowded from morning to night. Money passed easily,¹² and from the similarity of the accounts we may well assume that they are to be relied upon. Immense amounts of gold passed through the hands of the citizens, it having been stated by I. L. Folsom that \$500,000 left the country between June 30, 1848, and October 27 of the same year.¹³

The existing government was powerless to cope with the conditions, and the better class of citizens looked to the government of the United States for the speedy establishment of better conditions. I. L. Folsom wrote from San Francisco to Lieut. W. T. Sherman on August 14, 1848:¹⁴

The most mortifying state of things prevails here at this time. Government, both civil and military, is abandoned. Offenses are committed with impunity; and property, and lives even, are no longer safe. If something is not done soon, our institutions will inevitably be disgraced. . . . Acts of disgraceful violence occur almost daily on board the shipping, and we have no power to preserve order If it is possible to send a vessel of war here, it should be done at once.

The sentiment for the establishment of better government became especially strong in San Francisco, where notorious bands of disturbers of the public peace ran riot. Notable among these bands were the "hounds," a desperate set of brawlers and gamblers who made their headquarters at the "Shades" in San Francisco.¹⁵ These daring men pa-

11. Borthwick, J. D., *Three Years in California*, 49.

12. Brown, John H., *Reminiscences and Incidents of the Early Days of San Francisco*, states that in one bar-room alone they were taking from \$2,500 to \$3,000 per day, and ten gambling tables each paid from \$70 to \$100. One man paid \$100 in advance to secure a table. Brown states that they paid him \$200 per day for taking charge, or \$5.00 per hour after six o'clock and up to twelve o'clock at night, and \$10.00 per hour later. Cf. *California* (Anon.), 106-132; Delano, A., *Life on the Plains and Among the Diggings*, 351-352.

13. Letter of I. L. Folsom to A. Ten Eyck, Esq., San Francisco, Oct. 27, 1848. *Leidesdorff MSS.*, Huntington Library.

14. *California Message and Correspondence*, 613.

15. Ten merchants of San Francisco organized for the purpose of protecting the captains of vessels against the escape of sailors. They offered to pay twenty-five dollars for every runaway sailor who was brought back. The "Regulators" were found to be of great service in this connection, both to the merchants and the shipping. Some desperate characters soon joined them and they degenerated into the organization known as the "hounds." Brown, John H., *Reminiscences and Incidents of the Early Days of San Francisco*; Letts, J. M., *California Illustrated*, 50; *The Annals of San Francisco*, 558-562.

rated the streets by day and night, would commit revolting acts, insult passers by, alight at hotels and demand what they wanted without pay, rob the stores of Chileans and beat the proprietors, and commit other revolting acts. Neither life nor property was safe from their depredations as they would commit the most revolting acts under the eyes of public authorities. The town council finally resolved to put an end to such depredations and so after one of the raids upon a Chilean, and the pillaging of his store, it had the leaders transported to the United States.¹⁶

Absence of Existing Digests of Laws—The sentiment for an American form of government was materially furthered by the absence of a codified set of laws. Americans were unacquainted with the laws of Mexico or the principles upon which they were founded. They complained that the *alcaldes*, most of whom had been appointed or elected before the immigration commenced, were not lawyers by education or profession,¹⁷ and that they enacted, adjudicated and executed the laws in tyrannical fashion. They had jurisdiction in municipal matters, minor offenses and sums less than one hundred dollars. Capital cases and cases of over one hundred dollars were decided by the "*juez de primera instancia*," or first judge of the district. In the case of the trial by *hombres buenos*, or good men, when either party demands it, a trial similar to our trial by jury was carried on, the *hombres buenos* consisting of three to five men. There were no codified laws governing such proceedings and they were seldom enforced. Edwin Bryant, at one time the *alcalde* of San Francisco, showing the inadequacy of this system, says that with honest and intelligent magistrates the system would operate advantageously, as justice would be speedy and certain; but with the corrupt and ignorant magistrates who were too frequently in power, the consequences of this system were as bad as could well be imagined.¹⁸

There was virtually no written statute law in the country. Bryant states that the only law books he could find were a digested code entitled "Law of Spain and the Indies," published in Spain about one hundred years before that time, and a small pamphlet defining the powers of the various judicial officers, emanating from the Mexican government since the revolution. He further states that the Mexican government, on being required to state how to ad-

16. *Alta California*, Aug. 2, 4, 9, 16, 1849.

17. T. Butler King's Report, found in Bayard Taylor's *Eldorado*, 1850 Ed., II, 201.

18. Edwin Bryant, *What I Saw in California*, 436-437.

minister the law, replied, "Administer it in accordance with the principles of natural right and justice."¹⁹

Conditions in this respect remained unimproved under the military governors. C. E. Pickett, writing to General Kearny, March 23, 1847, says,²⁰

The Alcaldes throughout California have been since the raising of the flag, but a mockery to law and justice; assuming and exercising prerogative and power far beyond any clothed them by the Mexican or United States laws. They have acted in the triple capacity of legislative, executive, and judicial and the most of them tarnished these second offices by a total disregard of all law, justice, reason and right. I would advise you to suspend at once these courts, and have published the laws defining their duties, which ought to have been done before the offices were filled.

In a somewhat heated editorial in *The Californian* for July 24, 1847, this sentiment for better government giving defined powers is discussed:

It must be manifest, Mr. Editor, to the weakest understanding, that if the powers and duties of the Alcaldes be not defined, the very results hinted at in our last communication will be likely to occur; nay sir, must absolutely happen. Let them exercise the utmost discretion, be ever so wise, prudent and virtuous, if they have not their duties *prescribed*, and their powers *defined*, they cannot possibly know over what they have jurisdiction or when they act below, up to, or beyond their powers. Nor is there any escape from the position they occupy, viz. of undertaking to do that, of which they have not the slightest conception. To assert or suppose the contrary would be the supermost folly.

Codification of Laws Attempted under Governor Mason.—Governor Mason, who succeeded General Kearny as military governor of California, in 1848 "had printed both in English and Spanish languages, a code of laws for the better government of the territory of California—the preservation of order, and the protection of the rights of the inhabitants, during the military occupancy of the country by the United States forces."²¹ This code was prepared and printed,²² "but upon the establishment of peace, was not published."²³

19. *Ibid.*, 436.

20. *Unbound MSS.*, Bancroft Library, 147. See also similar letter under date of Mar. 3, 1847. *Ibid.*, 145. "The present unlimited and illegal powers and prerogatives assumed through the country by the different Alcaldes will give rise to much confusion and litigation. . . ."

21. *Californian*, Aug. 14, 1848.

22. What is believed to be the only extant copy of this work is now in the possession of the Huntington Library, having been purchased by them in May, 1923, from the Library of the late William H. Winters, formerly librarian of the New York Law Institute. L. Folsom, who was at the time it was compiled, Asst. Quartermaster under Colonel Mason and also collector of customs for San Francisco, has inscribed across the title page, "Not published in consequence of the news of peace." It is presumed that this copy might have been sent to Folsom for his approval before its final publication. It is supposed in the interval which elapsed that peace was declared, and further publication useless in view of the probable establishment of American government.

An excellent account of this document, which historically is the first and one of the most important books printed in California, is given by Chester March Cate in *Biographical Essays*, published by the Harvard University Press, June, 1924, 331-336.

23. *Alta California*, June 14 and Aug. 9, 1849.

Origin of the Legislative Assembly of San Francisco.—

In 1849 the feeling against the unsatisfactory existing conditions became so strong in San Francisco, that the Legislative Assembly of that district finally established itself as a legally constituted body for the temporary establishment of law and order. Being opposed by General Riley, who succeeded Colonel Mason as military governor, in their "unwarranted" assumption of power, they issued an address to the people of California defending their position. They spoke at length in regard to the absence of a codified set of laws:²⁴

The last military governor appointed during the war was Colonel Mason; and under his direction a code of civil law was prepared and printed during the war, but upon the establishment of peace, was not published. The people were thus left with no printed code of law to which they could refer. There might have been one or two copies of the pre-existing California laws in the Spanish language somewhere in the territory; but if such was the fact, they were not accessible; and being in a foreign and unknown language, were entirely useless. No farther efforts were made to promulgate the laws, and the community could not know what they were, or whether there were any. No attempt was made to fill the various offices said to exist. The courts of justice had no judges, and no prefects. The only judge in the territory was Judge Lynch, and his authority only extended to *criminal* cases. In these his honor was very efficient, and many men were hung and many shot under his decisions—they were so very prompt, and required so little testimony. The only judicial officer in the District of San Francisco was a single Alcalde, and he was placed in a very critical situation. He was an American, with no acquaintance with the Mexican law, and no knowledge of the Spanish language, and the government furnished him with no code, and he had access to none The right of appeal did not exist. These powers had either to be exercised by the Alcalde, or not exercised at all.

Horse Thieving a Menace to the Country.—Many minor causes of discontent contributed to the sentiment for the more adequate American form of government. Important among these was the ill feeling fostered by the increase in horse thieving on the part of the Indians who were "continually becoming more bold and daring in their robberies" as horses were becoming scarcer and scarcer. During the Spanish regime such a thing as a horse thief was unknown in the country, but as soon as the Mexicans took possession "their characteristic anarchy began to prevail and Indians to desert from the missions."²⁵ Edwin Bryant, quoting from the *California Star* of March 28, 1847, states that during the previous twenty years more than 100,000 horses could be enumerated which had been stolen, and that the total amount probably would be double that number.²⁶

24. *Ibid.*, Aug. 9, 1849.

25. Bryant, Edwin, *What I Saw in California*, 434.

26. *Ibid.*

At the time of the occupation of California by the Americans, the Indians were bold and daring in their robberies, realizing that there was "no force to follow them up or otherwise injure them."²⁷ The early military governors appointed Indian agents²⁸ and issued proclamations relative to the punishment of the offenders. We find interesting accounts of the mingling of the American and Mexican laws.²⁹ As a rule, however, if the horse thief was caught, "death was his portion, powder and ball being judge and jury in the common law of California applied to such a case."³⁰

The early military governors sought to inform the Indians of the good intentions of the government, but that justice would be speedy and certain for the offenders.³¹ Unfortunately the incoming Americans were unjust in their treatment of the Indians, and Governor Mason and Governor Riley were forced to take measures to defend the Indian.³² It was realized that it would take strong government to stop the increasing danger,³³ and H. W. Halleck wrote in December, 1848, that he hoped "that ere long the military force in this country will be increased sufficiently to enable him to afford greater security to the ranchers on the extreme frontiers."³⁴

27. *The Californian*, Dec. 26, 1846; Cf. *Ibid.*, Oct. 10, 1846.

28. James B. Montgomery's appointment of M. G. Vallejo is found in *Vallejo MSS.*, Bancroft Library, XII, 237; S. W. Kearny's appointment of M. G. Vallejo is found in *California Message and Correspondence*, 296.

29. See Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, II, 118-124.

30. Johnson, Theodore T., *Sights in the Gold Region*, 171.

31. Letter of H. W. Halleck to Captain Sutter, *California Message and Correspondence*, 382; Letter of H. W. Halleck to M. G. Vallejo, *Vallejo MSS.*, Bancroft Library, XII, 311; Letter of John A. Sutter to S. W. Kearny, *Unbound MSS.*, Bancroft Library, 86.

32. Official Letter from Governor Mason to John A. Sutter, *Vallejo MSS.*, Bancroft Library, XII, 307; Proclamation of Governor Mason against selling liquor to Indians, *Ibid.*, XII, 319; XXXIV, 323, XII, 324.

33. Cf. *The California Star*, Feb. 6, 1848.

34. *Vallejo MSS.*, Bancroft Library, XII, 256.

Chapter IV

EXPRESSION OF SENTIMENT UNDER THE MILITARY GOVERNMENT

Sentiment for American Institutions.—The sentiment for the rapid establishment of American civil institutions and the rapid extension of American principles of government received its greatest impetus from the want of adequate law for the protection of life and property and administration of justice. This had its basis in the effete and uncoded Mexican system of laws already referred to, but was carried to consummation through the indefinite legal conditions existing from the time of the raising of the American flag at Monterey, July 7, 1846, until the final admission of California into the Union, September 9, 1850.

Legally the status of California from her occupation as a conquered territory on July 7, 1846, until her annexation under the Treaty of Guadalupe Hidalgo, February 2, 1848, was that of land held by military occupation and under control of a military governor appointed by the President. According to international law the customs and laws in force under the Mexican government were to remain in force until supplanted by others provided by competent authority. According to S. H. Willey, this condition worked better among the older Californians in the southern part of the state.¹ It was necessarily accepted, with the hope that the inadequate Mexican system would soon be superseded by an effectual territorial government provided by Congress. The first issue of California's first newspaper stated: ²

We shall advocate a territorial relation of California to the United States, till the number of her inhabitants is such that she can be admitted a member of that glorious confederacy.

We shall support the present measures of the commander in chief of the American squadron on the coast, so far as they conduce to the public tranquility, the organization of a free republican government and our alliance with the United States.

Feeling of Satisfaction Created by Commodore Sloat.—The confidence of the people in the desire of the military governors to accede to the general sentiment for the establishment of American civil institutions was based upon

1. Willey, S. H., *Personal Memoranda MSS.*, Bancroft Library, 104.

2. *The Californian*, Aug. 15, 1846. The importance of this editorial is seen when we find that it is this issue which contains the war proclamation of President Polk.

the early proclamations of the governors. Commodore Sloat, in his assumption that the United States would permanently hold California, stated in his proclamation of July 7, 1846, that the people would have "the privilege of choosing their own magistrates and other officers for the administration of justice among themselves"³ and that as a territory of the United States they would "enjoy the same rights and privileges as the citizens of any other portion of that territory."⁴

Situation Complicated by Commodore Stockton.—Aggressive Commodore Stockton, who on July 23, 1846, superseded conservative Commodore Sloat, stated with his characteristic self-assurance that the Territory would be governed "by officers and laws, similar to those by which the other Territories of the United States are regulated and protected."⁵ But at the same time he complicated the situation by saying that while the country was in large territorial matters under the military governor, in minor matters of relationship "former laws and usages" were to be upheld. "Former laws and usages" proved very indefinite to the Anglo-Saxon law-loving mind. But as a matter of fact California did exist under this dual system of government from the time of her occupation by the Americans until her admission as a state. Sloat had carried out this principle in fact when he ordered "judges, alcaldes, and other civil officers to retain their offices, and to execute their functions as heretofore."⁶

The complications in store under such a system did not at first become manifest, and we find the military governors were therefore welcomed as a probable relief from the indefinite rule which had existed under Mexico.⁷ The papers of these few months contain practically none of the heated editorials of a later date.⁸ But with the passing of

3. Royce, Josiah, *California*, 203.

4. Bancroft, H. H., *History of California*, V, 234-237; *The Annals of San Francisco*, 98-100.

5. *California Star*, Jan. 7, 1849. Quoted in R. D. Hunt, *The Genesis of California's First Constitution*, 18.

6. Royce, Josiah, *California*, 203; *The Annals of San Francisco*, 99.

7. *The Californian*, Oct. 17, 1846, states of Stockton:

"We are highly gratified with the tone of the governor's speech. It speaks the language of the heart of a Sailor and a Champion of Liberty, of one devoted to the cause of universal freedom; and it is pleasant to see those feelings so warmly responded to by the people of this beautiful country so recently brought under the flag, which everywhere protects the right of man. . . . We hail the arrival of Commodore Stockton as a bright era in the history of California." *The Californian*, July 3, 1847, "Commodore Stockton is an officer who needs no apologies for his conduct."

8. *The Californian*, Feb. 20, 1847.

"It is to be hoped that many years may pass away before the bitterness of party politics will reach California. All we ask here, is a quiet, mild administration of good laws, and protection of our Ranchos from the predatory excursions of the wild mountain Indians, the slightest possible shackles on commerce, and all the facilities which can be offered to a rapid emigration."

months and the increase in population, the difficulties of the situation increased. Laws were inadequate and life and property insecure. The newcomers were unacquainted with Mexican laws or language. As American citizens they had a right to expect a more adequate system of government than that in effect, and a just sentiment arose among the residents that existing condition should be modified. This sentiment against the military government must not be attributed to any fault of the governors themselves, but rather to the inefficient and effete system under which they were forced to operate.

Hopeful Attitude Created by General Kearny.—General Kearny succeeded Commodore Stockton, and during the few months of his rule the people became very hopeful that the promised territorial government would be established. His pacific proclamation of March 1, 1847, said in part:⁹

It is the wish and design of the United States to provide for California with the least possible delay, a free government similar to those in her other Territories, and the people will soon be called upon to exercise their rights as free men in electing their own Representatives to make such laws as deemed best for their interest and welfare. But until this can be done, the laws now in existence and not in conflict with the Constitution of the United States, will be continued until changed by competent authority; and those persons who hold office, will continue in the same for the present, provided they swear to support that Constitution, and to faithfully perform their duty.

The sentiment created in favor of the United States as a result of this proclamation is to be noted. Edwin Bryant says that several of the alcaides of his jurisdiction, as well as private individuals, expressed in the warmest terms their approbation of the sentiments of the proclamation. "They said they were heartily willing to become Americans upon those terms, and hoped that there would be the least possible delay in admitting them to the rights of American citizenship."¹⁰ The optimistic sentiment created as a result of this proclamation is also seen in successive editorials of *The Californian*.¹¹

If we may judge from the tone of the Proclamation, it will be the determined purpose of General Kearny, to have proper civil magistrates appointed in the various districts, to make such rules as will be most likely to secure the most ample justice to all, and to establish Government on such a basis as will secure the confidence of all and unite the "Natives and foreigners" as one people in feeling.

9. This proclamation is to be found in the *Vallejo MSS.*, Bancroft Library, Vol. XXXIV, 260, 281; *The Californian*, March 6, 1847; *California Message and Correspondence*, 288-289.

10. Bryant, Edwin, *What I Saw in California*, 432.

11. *The Californian*, March 13 and 20, 1847. The quotation here given is from the issue of March 13, 1847.

From the policy which has already been pursued and the principles laid down by the present authorities, we may with the most entire confidence, expect that peace and tranquility will soon bring in their train prosperity and happiness. The sunny land of California requires nothing but just laws and a proper enforcement of them even with her mixed population to produce fair development of her immense resources, and to make it one of the most desirable portions of the western continent.

Under Governor Mason People Begin to Feel Injustice.

—But with the succession of Colonel Richard B. Mason to the position of military Governor, May 31, 1847, the feeling began to be expressed that the people had been misled if not deceived. They stated that they did not "expect to enjoy all the blessings and facilities which a well regulated civil government would afford them, but they do expect to have all the advantages which can be afforded by a military government. . . . it is the duty of all, to profit by experience, and what has been done amiss should be changed."¹² The hope was expressed by "Lex" that the phantom territorial government which had been promised by Kearny, would be executed by Mason.¹³

Outspoken Sentiment of Neglect Beginning in 1848.—

By the beginning of 1848 this feeling of neglect became so outspoken that we find heated editorials beginning to appear in the columns of the *Californian*.¹⁴

What, we hear our people everywhere inquiring, what have we acquired by our conquest, in this country? . . . In view of our civil rights, in view of the security of person and property, and in view of all the sacred rights and privileges secured to us by the fundamental laws of our government, we must say we have acquired nothing, but have lost everything We know nothing of the design of the present Executive, in reference to the organization of a civil government; but we do know that the people very much desire such an organization. And we also know, that it is the "*wish and design* of the United States to provide for them, a free government *with the least possible delay*." In view of these facts, we cannot but think, that the present governor now has the matter under consideration, and will soon have an adequate organization fully consummated.

Attempts of Mason to Organize the Government.—

This sentiment seems to have been instigated by the wavering policy of Governor Mason, careful not to exceed his authority. Realizing the necessity of the period, he endeavored to establish a temporary civil government in California, proceeding to codify the Mexican laws and organize the courts. Actuated by the idea that should he organize a government, the probability was, "before such government could be put into operation, a treaty of peace would be con-

12. Editorial entitled, "Military Despotism," *The Californian*, June 5, 1847.

13. *Ibid.*, July 24, 1847.

14. Quoted from the editorial entitled, "Civil Organization," *Californian*, January 5, 1848.

cluded, and a regular territorial government would be established, thereby rendering void all that had been done,"¹⁵ he gave out statements in January¹⁶ and May¹⁷ that he had each time abandoned his plan. "Pacific," in an editorial which was anything but that of a pacifist, urged the formation of a civil government.¹⁸ Citing Oregon as an example, it was urged that should peace be declared, it would be some time before Congress could form the needed government; also, that should a satisfactory government be adopted by the people, it would only be accepted by Congress and in the meantime troublesome conditions would be remedied.¹⁹

Joy Expressed upon Reception of News of Peace.—

Buoyed up with the hope that Congress would take some definite action, and recognizing that their position had "long been one of suffering—more elated with the pleasing delusions of hope, than desponding from the alarm of fear"²⁰ the Californians awaited the news of peace through the summer of 1848. Exciting events had followed the discovery of gold in February of that year. The increased population of August was in much greater need of the promised civil organization which the news of peace was expected to bring. But the "Glorious News" of the "Ratification of the Treaty of Peace"²¹ brought with it no legal Territorial organization; and the hope of the people, elevated for the moment to heights of ecstasy,²² soon found itself

15. *Californian*, Jan. 5, 1848.

16. *Ibid.*

17. *Ibid.*, May 17, 1848.

18. *The California Star*, Jan. 29, 1848; "It is not the hour to wait supinely in talking and stickling about points of form, order, precedent, constitutionality and abstract questions of law and right; when immediate and absolute wants and imperious necessity—which are paramount and superior to all other laws—demand action at once. This has long been our condition here in reference to the establishment of civil courts, the proper definition of their duties and powers, and the attention to a few other urgent requirements of the country. But yet what has any one of our long list of Governors, Commodores, Generals and Colonels, who have commanded and cut such high antics on the boards of this tragico-comico-farccio California theater, done for us in such matters. Nothing—aye, far worse than nothing. . . . 'Tis time, indeed, for the people to speak out, when our every right and privilege is allowed to be assailed and invaded with impunity, and we debarred the medium of redressing these in the temples of justice; the base and counterfeit pretensions of the latter, with us, being but a mockery to the sacred character of law, truth and right."

19. *Californian*, Jan. 5, 1848.

20. *Ibid.*, July 15, 1848.

21. *Ibid.*, Aug. 14, 1848. Official proclamation of the Ratification of the Treaty of Peace was made by Mason in the *Californian*, Sept. 2, 1848.

22. *Ibid.*, Aug. 14, 1848. "What are our hopes and prospects, under a permanent peace, equal rights, fair competition, and perfect protection in the rights of property? The prospective view is grand, beyond all possible calculation. The imagination is lost in wonder, when we attempt to look forward and judge the future by the past."

plunged into a period of mere *de facto* government. California had passed from a period of military government into a period in which the government must rest upon the presumed consent of the people, resulting in what has been commonly known as the No-Government period.

Sentiment in Favor of the Military Government, although Inadequate, Outweighed the Desire for the Former Mexican Government.—Finally, in closing our study of the period of the military government, we must realize that the sentiment in favor of the military governors seemed far to outweigh any desire for a return to the old Mexican governors and “the sway of leaders in whose prudence and patriotism they had no confidence.”²³ The news of the subsequent death of General Kearny was received with sorrow and—²⁴

During his brief sojourn in California, his considerate disposition, his amiable deportment and generous policy, had endeared him to the citizens. They saw in him nothing of the ruthless invader, but an intelligent, humane general, largely endowed with a spirit of forbearance and fraternal regard.

Similar kindly feeling existed toward the other governors.

Nevertheless, the military government was decidedly inadequate to the needs of the period. The absence of effectual law gave rise to a feeling of dissatisfaction and discontent. The promised territorial government seemed ever to elude their grasp, becoming a mere phantom chase with the passing of months. Resultant evils were to be attributed, not to the character of the military governors, but to the failure of Congress to provide a better system under which they might operate.

Americans Endeavor to win Support of the Native Californians:—During the period of the military governors, the Americans sought to win the confidence and support of the Californians. At times it seemed to the Americans that the Californians were moved to hostile attitude by the indiscreet actions of the Americans themselves.²⁵ But on the whole the sentiment among the leading Californians was largely in favor of the Americans, and many who did not take up arms against their country at least did not support its material aid. *The Californian*, January 28, 1847, sought to inspire the Californians to support the American cause and allow no repetition of a recent outbreak. General Winfield Scott, in a proclamation to the Mexicans on August

23. Colton, Walter, *Three Years in California*, 376.

24. *Ibid.*, 375.

25. Letter of E. E. Pickett to General Kearny on public affairs, men and measures. *Unbound MSS.*, Bancroft Library, 147.

14, 1847 appealed to them to stand by the Americans against Mexico.²⁶ This sentiment on the part of the Californians was felt as far south as La Paz, Lower California, from which place H. W. Halleck, Lieutenant of Engineers, wrote to Colonel R. B. Mason that the inhabitants, acting under assurances from the United States Government that they would be protected in their rights, took up arms against their countrymen.²⁷ James Buchanan, Secretary of State, wrote from Washington on October 7, 1848, that while the population of California was composed largely of our own kindred, a large portion of them were former citizens of Mexico and ought to be treated with respect and kindness, and thus be made to feel that by changing their allegiance their home had become more prosperous and happy.²⁸

Sentiment against Slavery.—Under the military government we find a strong sentiment for a free state. This is the more important when we realize that it was the question as to whether California should be slave or free territory which was destined to prevent the formation of a government by Congress. The points of view in Congress and California were exactly opposite. Congress considered the question as to its national importance; California considered it as it affected adaptability in local relationships; Congress considered the moral issue throughout the country; California considered feasibility of slave labor competing with white labor.

As early as June 26, 1847, it was predicted in *The Californian* that should the question of slavery ever be left to the vote of the people, they would decide against it almost unanimously, as not a single person could then be found who favored it. The sentiment was expressed that it was hoped that persons owning slaves would not bring them to California, as, first, California must "in the nature of things, be a free state when it becomes a state," and their slaves would be nothing to them; second, it would be unpleasant for the slave who would be ignored, while having a tendency to degrade white labor; and, third, the Indians were capable of furnishing all the required labor.

The sentiment was only intensified during the summer of 1848, when we find the statement that there was not a slave in California and that it was believed that the power of the government was inadequate to their general introduction, as any one introducing slaves would be apt to

26. *The Californian*, Aug. 14, 1847.

27. *California Message and Correspondence*, 911.

28. *Ibid.*, 9.

meet with the loss of his property. Although seeking admission into the Union, the sentiment was expressed that "the simple recognition of slavery here would be looked upon as a greater misfortune to the territory, than though California had remained in its former state, or were at the present crisis abandoned to its fate," as "its recognition would blast the prospects of the country."²⁹ "Rather than put this blighting curse upon us, let us remain as we are, unacknowledged, unaided."³⁰

This view was based upon the economic and social conditions of the country. Many of the immigrants were from the better classes, but in California all social barriers were broken down and all labored on the same level. The white men would not consent to wield the pick beside the black man. The result would inevitably follow that the industrious middle class which California wished to see would be driven to their homes. "We should look upon it as an unnecessary moral, intellectual, and social curse upon ourselves and posterity."³¹ To the sentiment that slavery was neither needed nor desired, was added the argument that non-slave-holding states were comparatively much stronger than slave-holding states, as slavery stagnated the blood of a nation through its idea of the degradation of labor. Georgia was cited as an example, a state with an abundance of timber, but which imported its lumber from Maine. For these reasons the people believed that it was "in direct opposition to the spirit of our institutions and unworthy of the enlightened age in which we live."³²

The period of the military governors, beginning with a strong sentiment on the part of the inhabitants that American government and institutions would soon be established in California, therefore ended with these hopes completely shattered. As we have seen, the military government, which began with a feeling of satisfaction on the part of the people under Commodore Sloat, had become complicated under Governors Stockton and Kearny. Under Governor Mason's wavering policy and the failure of his attempt to organize the government, the people felt that they had been misled. With the admission of California into the Union, the country was thrown into a period when the people felt that there was no definite existing government

29. *The California Star*, March 25, 1848.

30. *Californian*, May 24, 1848.

31. *The California Star*, March 25, 1848.

32. *Californian*, May 24, 1848. Cf. *Ibid.*, Nov. 4, 1848.

to which all might look with assurance. The government failed to satisfy the demands of the people because of its legal limitations. The clamor of the people continued under the *de facto* government, which now forms our interesting study.

Chapter V

EXPRESSION OF SENTIMENT UNDER THE DE FACTO GOVERNMENT

Attitude of President Polk and Governor Mason Toward the Military Government.—By the Treaty of Guadalupe Hidalgo, February 2, 1848, California became an integral part of the United States. From that time California was no longer a conquered province under military occupation and the military government technically ceased to have any authority legally. President Polk recognized this and in his message to Congress, July 6, 1848, and again on December 5, 1848, urged Congress to take steps to provide for the regularly organized government of California, for, "since the cession of California to the United States, the Mexican system has no longer any power, and since the law resulting from our military occupation has come to an end by the ratification of the treaty of peace the country is without an organized government, and will be until Congress shall act."¹ Governor Mason, fully aware of the existing sentiment among the people and the difficulty of the situation, wrote, "What right or authority have I to exercise civil control in time of peace in a territory of the United States? Or, if sedition or rebellion should arise, where is my force to meet it?"²

"Administration Theory."—Under these uncertain and puzzling conditions we find two incompatible theories brought forward. The first, often called the "administration theory," was definitely set forth by Secretary of State, James A. Buchanan, in his dispatch of October 7, 1848.³ He stated that, "The termination of the war left an existing government, a government *de facto*, in full operation; and this will continue, with the presumed consent of the people, until Congress shall provide for them a territorial government." This, he said, found its justification in the great law of necessity, for no people could desire to abrogate an existing government, "when the alternative presented would be to place themselves in a state of anarchy, beyond the protection of all laws, and reduce them to the unhappy necessity of submitting to the dominion of the strongest."

1. *Ex. Doc.*, 2 Sess., 30 Cong., H. R., I, 12. Cf. Willey, Samuel H., *The Transition Period of California*, 77.

2. Willey, S. H., *op. cit.*, 77.

3. *California Message and Correspondence*, 7-8.

As a matter of fact, this was the policy which Governor Mason had followed after the reception in August of the news of peace, presenting as it did practically the only method by which he could preserve a semblance of government. At the same time he had written to the War Department on August 14, 1848:⁴

I am fully aware that in taking these steps I have no other authority than that the existing government must necessarily continue until some other is organized to take its place, for I have been left without any definite instructions in reference to the existing state of affairs. But the calamities and disorders which would surely follow the absolute withdrawal of even a show of authority, impose on me in my opinion, the imperative duty to pursue the course I have indicated until the arrival of dispatches from Washington. . . . relative to the organization of a regular government. In the meantime, however, should the people refuse to obey the existing authorities, or the merchants refuse to pay any duties, my power is inadequate to compel obedience.

Governor Mason Promises a Provisional Government.—Agitation continued. There were in California lovers of law and order who were anxious to have definite steps taken for the speedy establishment of a territorial government. These leaders of the public opinion were not slow to realize their power. Governor Mason, anxious to relieve the strained condition, finally, after a conference with Commodore Jones, recommended, in default of Congressional action, the "appointment of delegates by the people, to frame laws, and make other necessary arrangements for the Provisional Government for California."⁵ He even stated that "To forward the movement, and produce a revenue for the support of the government formed, preventing a recourse to taxation," he would "give over to its constituted authorities, the entire collection of customs at the several ports of California."

Doubtless feeling the strength of their position through the open support of the Governor, the movement for a Provisional Government became of the first importance. *The California Star and Californian* published many editorials in December, 1848, and January, 1849,⁶ with the object of more fully acquainting the public with the general movement and arousing public interest. The sentiment is expressed in the following:⁷

We are now virtually without law, and if ever its absence threatened serious evils to the country, it is at the present time. Our Military and Naval commandants recognize in the people a right—nay, en-

4. Rodman, Willoughby, *History of the Bench and Bar of Southern California*, 17-18.

5. *The California Star and Californian*, Nov. 25, 1848.

6. Cf. *Ibid.*, Dec. 2, 16, 23, 1848, and Jan. 4, 1849.

7. *Op. cit.*, Dec. 2, 1848.

join it as a duty, to provide for themselves a government, recommending delay only until it be ascertained whether or not the Congress of the United States, at its last session, produced the long-awaited organization We address our countrymen, then, upon the claims an organization for the promotion of our country's welfare has upon their immediate attention, as a free and law abiding people. We hope every true American citizen will lend hand and influence, firstly, in rearing up a wise government, secondly, in its undaunted support.

Mass Meetings Express Dissatisfaction of the People with the De Facto Government.—With the arrival of the *St. Marys* and its news of the failure of Congressional action, the people believed the question of a territorial organization to be settled; and they immediately set about to prepare for themselves a provisional government. "The cause is urgent and the times will admit of no delay."⁸ Upon the same date upon which this news was published, a lengthy editorial, entitled "Private Rights and Public Wrongs," expressed the sentiment existing against the *alcalde* form of government and that "They must perceive that some CHANGE is necessary, and from these peculiar circumstances, the sooner they can create it the better for the public peace and general good."⁹

Mass meetings, expressing the sentiment of those who were dissatisfied with the *de facto* form of government,¹⁰ were held on December 11, 1848, at San Jose; on December 21, at San Francisco; and on January 6 and 8, 1849, at Sacramento.¹¹ The larger and more outspoken meetings of San Francisco claimed that the United States had been trifling with California, and that no time should be lost in the formation of a government. It is not to be inferred that these meetings were the result of a hasty action on the

8. *The California Star and Californian*, Dec. 16, 1848.

9. *Ibid.*, Dec. 16, 23, 1848. Regarding the *alcaldes*, the article states: "The existence or establishment of these officers, was the result of necessity. They governed by necessity, and they were continued in office by the military authorities, by virtue of necessity, without the aid of legislation, which was felt to be a serious evil. . . . When we consider what the real power, office and duties of the *alcaldes* are, when we consider the gross assumption of power, the many tyrannical partialities, abuses and violations, some of them made upon the private rights of our citizens; when we hear them assert that their power is uncontrolled; when we see them exercise the power of their office to sustain these invasions on our rights; when we know from a knowledge of their private character that they are both incapable and unworthy to fill the office, or to dispense justice; certainly if the people desire to protect their rights, secure the certainty of receiving justice, without the necessity of showing who has the "biggest pile," they must perceive that some CHANGE is necessary, and from these peculiar circumstances, the sooner they can create it the better for the public peace and general good."

10. Cardinal Goodwin states that the immediate occasion of the agitation for these assemblies was a murder committed in the mining district, cited in *The Star and Californian* for Dec. 2, 1848, coupled with the fact that at about the same time Congress had adjourned without providing a territorial government, several companies of immigrants arrived in California, many of whom had assisted in forming independent governments in Oregon and "Deseret." Goodwin, *Establishment of State Government in California*, 71.

11. Cf. See the *Alta California* for Jan. 4, 25, 1849.

part of the inhabitants. The necessity of some action on the part of the people was obvious.¹² Steps should be taken to provide a government for the country in the event that Congress failed to do so at the present session. The San Jose convention recommended that a convention be held in that place on the second Monday in January for the purpose of organizing a provisional government for the territory.¹³ The San Francisco assembly recommended the 5th day of March, which was later changed to May 1st¹⁴ by the Correspondence Committee for the District of San Francisco.¹⁵ Later the Committee of Correspondence recommended the postponement of the convention to the 6th of May. The time was finally changed by the Legislative Assembly of San Francisco from May to the third Monday in August.¹⁶

The postponement of this convention found its justification in the desire of the people to have all parts of the country represented, coupled with the hope that news might be received of the establishment of a territorial government by Congress, rendering action on their part unnecessary. It was also stated that "the public mind is in want of time to digest and settle the various points that are likely to arise in so important a proceeding, in order that the delegates may come to the Convention prepared to carry out the wishes of their constituents."¹⁷

The democratic character of the movement is seen in the fact that it was urged that the convention should be a representative body and "should be composed of men from all classes and nations." This was meant to apply particularly to the Californians, and it was urged that measures be taken to engage them in the work. "Let all be made to un-

12. We quote from the *Alta California*, Jan. 4, 1849: "It certainly is not necessary in calling public attention to this matter, that we should point out the insecurity of our present position. Recent events have made that fact too sadly familiar. What, then, can we urge to induce action and exertion? If the dangers we all run be not enough to induce the staid, reputable and responsible people of the country to come forward and unite as one man to build up a form of Provisional Government, which will preserve the rights of, and mete out justice to, all, we shall then be obliged to continue our present system of "Lynch Law"—a system that, in its best features, is only worthy of barbarians—a system that is without a controlling power—without a steadfast guide, and that is, therefore, liable to fluctuate as the public feeling that directs changes—a system that, having no settled rule of action, is as likely to turn its destroying hands against the good as the bad."

13. *Ibid.*, Jan. 4, 1849.

14. *Ibid.*, Jan. 25, 1849.

15. This was urged in a letter written to the San Francisco Committee of Correspondence by Walter Colton, D. Spence, Milton Little and W. E. P. Hartnell from Monterey, Jan. 16th. Cf. *Alta California*, Feb. 1, 1849.

16. This recommendation was made by the Legislative Assembly in opposition to the authority of the next governor, General Riley, who called upon the people to convene in Monterey on September 1st. A lengthy report of this action is found in the *Alta California* for June 14, 1849.

17. *Ibid.*, Jan. 4, 1849.

derstand that a Provisional Government is not a government for Americans alone, but that every *bona fide* resident of California is equally interested in, and should exert his influence for, the promotion of so good a cause."¹⁸ The extended time would allow the delegates from the more distant districts ample time to come prepared to give a full and fair expression to the wishes of those they represented.

"Settler's Theory."—The people of California, in thus planning to take into their own hands the administration of the government, were acting in opposition to the so called "administration theory" which stated that the laws already in force remained in force until altered by competent authority. Doubtless they found some justification for their acts¹⁹ in a letter from Senator Benton of Missouri²⁰ which was published in the *Alta California* on July 11, 1849.

In this he advocated what since has been termed the "settler's theory" or the Benton theory. According to this theory the Mexican civil law was suspended with the annexation of California by the Treaty of Guadalupe Hidalgo, when California came under the laws of the United States. Congress having failed to provide a government, it was the duty of the people to provide one for themselves.

Having no lawful government, nor lawful officers, you can get none except by your own act; you can have none that can have authority over you except by your own consent. Its sanction must be in the will of the majority. I recommend you to meet in convention—provide for a

18. *Ibid.*

19. The *Alta California* for Jan. 18, 1849, in commenting on the letter, says: "His recommendations to the people of this country, . . . are substantially what the citizens are now acting on; and with the sanction of his great name it is to be hoped that the cause of Provisional Government will not be allowed to retrograde."

20. This letter, written at Washington, Aug. 27, 1848, entitled "To the PEOPLE of California," was taken by the *Alta California* from the *New York Courier and Enquirer* of Oct. 13, 1848. We quote somewhat at length because of the definite statement of principle and because of the influence which it doubtless had upon the people of California, coming during the period of their conventions:

"The treaty with Mexico makes you citizens of the United States; Congress has not yet passed the laws to give you the blessings of our government; and it may be some time before it does so. In the meantime, while your condition is anomalous and critical, it calls for the exercise of the soundest discretion and the most exalted patriotism on your part. The temporary civil and military government established over you as a right of war is at an end. The edicts promulgated by your temporary Governors Kearny and Mason (each an ignoramus), so far as these edicts went to change the laws of the land, are null and void, and were so from the beginning, for the laws of a country remain in force unless altered by the proper legislative authority, and no legislative authority has yet altered the laws which existed at the time of your conquest. The laws of California are still what they were, and are sufficient for your present protection, with some slight additions derived from your voluntary consent, and administered by officers of your own election. Having no lawful government, nor lawful officers, you can get none except by your own act; you can have none that can have authority over you except by your own consent. Its sanction must be in the will of the majority."

cheap and simple government—and take care of yourselves until congress can provide for you. ²¹

Senator Benton stated that two years previously he had addressed a similar letter to the people of Oregon, recommending to them that they submit to their own voluntary government, and “promised them eventual protection from our laws if they so conducted themselves. They did; and the promise has been fulfilled. I now make the same promise to you, in the name of many others as well as myself; and I hope to see it fulfilled on the same conditions.”

Practical Application of the “Settler’s Theory” by Legislative Bodies.—The sentiment existing in San Francisco against the old Mexican form of government and the popular desire for the American form of government is seen in the practical application of the Benton theory through the removal of the alcalde, Dr. Leavenworth, who had obtained office under the old system. The people of San Francisco wished to set up a new form of city government “better calculated to meet the requirements, and more adapted to the prejudices and habits of a large Yankee town, such as it had now become, and with which the actual order of things was now utterly at variance.”²²

The aristocratic element in the town wished to maintain the Mexican system until it was known what action the United States government would take on the subject of the government of California. The Democratic party insisted on taking matters into its own hands, and proceeded to do so at once, appointing the necessary officials. We find the anomalous condition of two town councils existing side by side.²³ The alcalde entered a protest against the action of the new council, but we see the strength of the sentiment for a new government in the fact that the court sustained the new order.

Finally the citizens of San Francisco took the matter up in general mass meeting, held in Portsmouth Square on February 12, 1849. At this time resolutions were passed asking both town councils to resign, and appointing an

21. It may be questioned as to whether Senator Benton really desired to have his letter broadly interpreted to mean that the Californians should organize a territorial or state government, an interpretation which has generally been assumed, for he goes on from this point to state: “You need a governor and judges, and some peace and militia officers—that is about all. The Roman civil law, which is the basis of your law, is just and wise, and only needs to be administered by upright judges (Alcaldes), whom you should elect. Avoid new codes of law until introduced by permanent authority. You need little at present, in addition to what you have, and that your convention can give you, to-wit: Elections, trial by jury, and courts of ‘Reconciliation.’ The latter is for the termination of disputes without law, by the mediation of the judge; it is easily engrafted on the Roman civil law, which you have, and which favors arbitration and amicable settlements.”

22. Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, 250.

23. *Alta California*, Jan. 4, 11, 18, 25, 1849, *et seq.*

election of fifteen town councillors, who were to form the Legislative Assembly of San Francisco. It was in the midst of these embarrassing conditions that Brigadier-General Riley arrived in San Francisco on March 31, 1849, to succeed Governor Mason. The alcalde, Dr. Leavenworth, upon being ordered to give up the town documents and legal papers, refused, supported by General Persifor Smith, and appealed to Governor Riley.²⁴ Riley vacillated between the policy of upholding the "administration theory" or the "settler's theory". Although acting against the advice of Commodore Apperson C. Jones and I. L. Folsom,²⁵ he issued on the fourth of June a proclamation which stated that Mexican law, in the person of the alcalde, should be upheld, and declared the legislative assembly an illegal body, forbidding the payment of taxes to it.²⁶ But later coming to San Francisco, and "finding that, in spite of the political change, things were going on as usual, he left the two parties to settle their differences as best they could."²⁷

The Democrats felt that by his action Governor Riley had favored their cause and they were jubilant. But the new government did not work well, because of the incompetent character of its officers, and hence it did not meet with public approbation. Being unable to collect taxes, the Democrats were at length brought to such straits that they were compelled to resign. Better men were elected and the aspect of things soon changed for the better.

The sentiment for better government was so strong that three such legislative bodies were organized, those of San Francisco, Sonoma and Sacramento. "Other movements of the kind were threatened, and doubtless would have followed in other sections of the Territory, had they not been arrested by the formation of a State Government."²⁸

24. Letter of T. M. Leavenworth to Governor Riley, asking a fair investigation of any criminal charge. *Unbound MSS.*, Bancroft Library, 64.

25. *Unbound MSS.*, Bancroft Library, 55. The strong sentiment against the old form of government is seen when Captain I. L. Folsom writes to Governor Riley that Leavenworth's doings will arouse again the old machinery of discord—that it was his intention to get up such troubles as will give him a new hold on his office or make the present one lucrative. See letter of T. H. Green to Thomas O. Larkin, June 28, 1849. *Vallejo MSS.*, Vol XXXV, 132: ". . . do all you can to have General Riley put a stop to Leavenworth proceeding as we all know he has no right to interfere in this business. If he attempts it will make a great disturbance here."

26. *The Annals of San Francisco*, 221-222. The answer of the Legislative Assembly of San Francisco to the attack of General Riley, when he referred to it as a body of men which "has usurped powers which are invested only on Congress," is found in the issues of the *Alta California* for July 19, July 26 and Aug. 9, 1849.

27. Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, II, 256.

28. Report of T. Butler King, found in Appendix to Bayard Taylor's *Eldorado*, 1850 Ed., 203.

From these facts it is evident that the existing local conditions were obnoxious to the people, and that a sentiment existed among them to take matters into their own hands should Congress fail to provide the desired government. Yet they were anxious to take no action which would be contrary to American principles and laws, and desired only to act when every chance of relief from Congress seemed to have vanished.

Governor Riley Becomes De Facto Governor.—With Governor Riley's entrance upon public duties on April 12, 1849, the office of Governor had taken on a new aspect. He came in a civil as well as military capacity.²⁹ He stated in his proclamation of June 3, 1849;³⁰

The undersigned, in accordance with instructions from the Secretary of War, has assumed the administration of civil affairs in California, not as a *military* Governor, but as the executive of the existing civil government. In the absence of a properly appointed civil Governor, the commanding officer of the Department, is, by the laws of California, *ex officio* civil Governor of the country, and the instructions from Washington were based on the provisions of these laws. This subject has been misrepresented or at least misconceived, and currency given to the impression that the government of the country is still *military*. Such is not the fact. The military government ended with the war, and what remains is the *civil* government recognized in the existing laws of California. Although the command of the troops in this department and the administration of civil affairs in California, are, by the existing laws of the country and the instructions of the President of the United States, temporarily lodged in the hands of the same individual, they are separate and distinct.

He realized the delicacy of the situation and the difficulty of administering the law in a country which was neither under military control, a state, nor an organized territory. He determined to keep the civil authority as much concealed as possible, and in so far as possible to allay any ill feeling toward the *de facto* government.

Governor Riley Calls the Constitutional Convention and the People Accede.—Governor Riley was quick to feel the sentiment and realized that a government must be formed for the people or they would form one for themselves. He became cognizant at once of the movement for a provisional government; but realized that according to the "administration theory" under which he labored, that

29. See Orders of Asst. Adj. Gen. Edward Canby, issued by order of General Riley, *Vallejo MSS.*, Bancroft Library, XIII, 16, 17; also in *Alta California*, June 21, 1849. We quote from *Vallejo MSS.*, 16: "Administration of civil affairs in California and the command of the troops in this Department, although from the force of peculiar circumstances lodged in the hands of the same individual, are entirely separate and distinct."

30. This "Proclamation to the People" is found in the *Alta California* for June 14, 1849.

the movement in order to be effective must be directed by the civil governor. This movement was assuming alarming proportions. The people were restive under the lack of restraining power in the presence of crime, says the *Placer Times*, for, "never since the discovery of gold have we acquired the presence of military power, as now."³¹

Governor Riley therefore determined that in the event of the failure of Congress to act, he would permit the people to form a government for themselves.³² When, therefore, the arrival of the steamer *Edith* on May 28, 1849, brought the official news that the thirtieth Congress had adjourned without providing a territorial government, he issued a proclamation, June 3, calling for the election of delegates to meet in Monterey on September 1, for the purpose of forming a constitutional government.³³ In the meantime the sentiment for better present conditions was acceded to through the provisions in the same proclamation calling for the general election of officers under the existing laws, who were to put into effect the present form of government until a new government could be put into operation.

He stated that since Congress had failed to organize a territorial government, the needs of the country demanded that he assume the duty as civil governor. There was a strong tendency to refuse to recognize his authority to act as civil governor. This sentiment was so strong in San Francisco that there was a public assembly of citizens on June 12, which resolved not to respond to this "yielding to military authority in civil affairs."³⁴ However, delegates chosen by them to frame a constitution realized that it would be better to cooperate with Governor Riley, and issued an address on June 18 stating that they considered it best, "as a matter of expediency,"³⁵ to adopt the plan proposed by

31. *Placer Times*, May 5, 1849.

32. Letter of H. W. Halleck to Col. J. D. Stevenson, Monterey, June 1, 1849. *Leidesdorff MSS.*, Huntington Library.

33. This proclamation is found in the *Alta California* for June 14, 1849; *Vallejo MSS.*, Bancroft Library, XXXV, 124; and in *California Message and Correspondence*, 776.

34. Willey, *The Transition Period of California*, 87; Cf. *Alta California*, June 14, 1849. This feeling was increased by Governor Riley's proclamation of June 4, in which he denounced the Legislative Assembly as an illegal body.

35. *The Annals of San Francisco*, 222.

Riley.³⁶ The same sentiment existed in other parts of the country,³⁷ and accordingly the delegates were duly elected.

Constitutional Convention Favored by President Taylor, Governor Riley and T. Butler King.—The sentiment of the people to accede to Governor Riley's call for a Constitutional Convention found its justification in three conditions. First, they were following the wishes of President Taylor, who had succeeded President Polk in March; second, General Riley was carrying out the wishes of the administration; third, their fears along this line, if they had any, were relieved by the presence of T. Butler King, who had been sent from Washington to California in March, 1849, under the new Taylor administration, and who also was urging the formation of an adequate system of government.³⁸ For these reasons we find the better judgment of the people ruling and the expression of sentiment on their part not to take any step which would be contrary to the interests of state organization.

Taylor stated in his report to Congress, that he had expressed his desire to the people of the Territories, added as a result of the Treaty with Mexico, that they independently form a State Constitution and submit the same to Congress for approval.³⁹ At the same time he emphasized that this was to be the result of their own deliberate choice.

36. "While we were satisfied that our position was right, we preferred patient and peaceful means to attain a satisfactory solution of the difficulty. . . . We all agreed as to the *main* purpose, and our committee determined not to disagree about subordinate matters." Peter Burnett's *Recollections of the Past*, MSS., Bancroft Library, 120.

37. "We deny his right to govern us, but we cannot conceal from ourselves that the only remedy for our present deplorable situation is to pursue the course recommended in his proclamation, as far as regards the organization of a state government." *Placer Times*, June 23, 1849.

38. Cf. Willey, *The Transition Period of California*, 89.

39. Report of Zachary Taylor to the House of Representatives of the United States, *California Message and Correspondence*, 1-2:

"I did not hesitate to express to the people of those Territories my desire that each Territory should, if prepared to comply with the Constitution of the United States, form a plan of a State constitution and submit the same to Congress, with a prayer for admission into the Union as a State; but I did not anticipate, suggest, or authorize the establishment of any such government without the assent of Congress; nor did I authorize any government, agent, or officer to interfere with or exercise any influence or control over the election of delegates, or over any convention, in making or modifying their domestic institutions or any of the provisions of their proposed constitution. On the contrary, the instructions given by my orders were, that all measures of domestic policy adopted by the people of California must originate solely with themselves; that while the Executive of the United States was desirous to protect them in the formation of any government republican in its character, to be, at the proper time submitted to Congress, yet it was to be distinctly understood that the plan of such a government must, at the same time, be the result of their own deliberate choice, and originate with themselves, without the interference of the Executive. . . . In advising an early application of the people of these Territories for admission as States, I was actuated principally by an earnest desire to afford to the wisdom and patriotism of Congress the opportunity of avoiding occasions of bitter and angry dissensions among the people of the United States."

Letters written from Washington by George W. Crawford, Secretary of War, to General Riley show that Riley's action in allowing the people to form a government would and did meet with approval in Washington. On June 26, 1849, George Crawford wrote:⁴⁰

The United States are doubly bound to admit the newly acquired Territories—California and New Mexico—into the confederacy of the States. It is not necessary to inquire whether the first step, in view of the proposed incorporation, should be taken by the people of the territories or by the invitation of Congress. In either case, the final judgment rests with Congress. Hence the opinion is advocated that it is the right of the people of California to assemble by their delegates and adopt a form of government which, if approved by Congress, may lead to their admission into the federal Union as one of the confederated States.

A second letter written by him on August 24, 1849, states:⁴¹ Regarding your proclamation of the 3rd of June last as a notice intended, in part, to render popular action uniform in respect to the desired organization of California into a more perfect government, it is seen with great satisfaction that your propositions had been accepted with great cheerfulness and alacrity, except in a few instances, where it is supposed selfish and unpatriotic motives prevail.

In a letter of appointment of T. Butler King, it was stated that he was "fully possessed of the President's views" and could with propriety "suggest to the people of California the adoption of measures best calculated to give them effect." But it was added that:⁴²

These measures must, of course, originate solely with themselves. Assure them of the sincere desire of the Executive of the United States to protect and defend them in the formation of any government, republican in its character, hereafter to be submitted to Congress, which shall be the result of their own deliberate choice. But let it be at the same time, distinctly understood by them that the plan of such a government must originate with themselves, and without the interference of the Executive.

"Taxation without Representation."—In studying the sentiment of the people for a peaceable statehood, we must not be unmindful of the fact that California was persisting in this endeavor in spite of the fact that she considered that she was being wronged by the mother country at home. The stormy session of the last night of the thirtieth Congress ended at four o'clock in the morning without providing a legal government for California but extending the revenue laws of the United States over California. The people protested that they were thus heavily taxed without being provided a government for their protection, or laws which they could understand, or allowed the rights of

40. *California Message and Correspondence*, 276.

41. *Ibid.*, 279-80.

42. Letter of John M. Clayton to Hon. Thomas Butler King, Apr. 3, 1849. *California Message and Correspondence*, 10.

representation in Congress.⁴³ They said with bitterness that the principle of "No taxation without representation" upon which our republic was founded had become a fallacy, and "that the high qualities of endurance and courage which that principle called into action were exerted to no purpose—and that the glorious galaxy of statesmen and warriors who have been the boast and pride of their country so long, were misguided and mistaken men."⁴⁴

Even Walter Colton, ever loyal to the home government, points out the injustice in this respect. He tells how farmers had been robbed of their stock to meet the exigencies of war. He emphasizes the unjust taxation of the comforts and necessities of life. Food, raiment, plows, anvils, blankets, salt, shingles, windows, even the "nail that bound your coffin" were taxed.⁴⁵ Colton points out that this injustice is the more to be wondered at when we realize that it was forced at a time when there was but little specie in the country. This condition was not remedied by the discovery of gold, for that valuable mineral was "extorted" at ten dollars an ounce when its real value to our mints was eighteen dollars. "If this be not robbery, will some one define what that word means? It was worse than robbery—it was swindling under the color of the law. All this has been carried on against a community without a representative in our national legislature, and without any civil benefits in return."⁴⁶ Colton concludes by saying that this money, which had been taken "under the naked dictates of arbitrary power" should be placed at the disposal of the state of California.

Custom House Conditions Undesireable.—Conditions existing in the custom houses increased the sentiment for better American administration. During the Mexican regime there had been no home manufacture and the duties imposed of foreign imports had not been felt by the Californians.⁴⁷ Governor Mason on October 9, 1847, issued a proclamation that he would delay the imposition of the heavy duties directed to be levied in all the ports in possession of the American forces, with the understanding that the quiet and tranquility of the country be maintained; but should the people of the country again seek to oppose the

43. Report of T. Butler King, Appendix to Bayard Taylor's *Eldorado*, 1850 Ed., I, 203; Address of the Legislative Assembly of San Francisco, *Alta California*, June 14, 1849.

44. From the erratic editorial entitled, "A Legal Outrage," in the *Alta California* for June 12, 1849.

45. Colton, Walter, *Three Years in California*, 397.

46. *Ibid.*, 398.

47. *The Californian*, Feb. 20, 1847.

flag of the United States, he would immediately proceed to levy these military contributions.⁴⁸ This act was doubtless done with the object of increasing American sentiment among the native Californians. It was stated that although the Californians were at the time not aiding Mexico, and were even furnishing supplies for the Americans, it was probably a good measure as the Californians had been promised that the onerous Mexican tariff would not be imposed upon them by the Americans. Delaying the operation of military duties would "tend very much to check any attempts at insurrection."⁴⁹

With the increase of population and greater expense of the government the enforcement of the revenue laws became a necessity, although Mason recommended on January 1, 1849, that they be not too stringently enforced.⁵⁰ The custom house department was spoken of as being remarkable for the "insolence of the officials, and the arbitrary demeanor of the autocratic collector."⁵¹ E. Harrison, who had been appointed collector of the port of San Francisco by the Governor in 1849,⁵² kept no account of receipts and expenses. The money was put into a sack without making any book account of it; and the sacks, upon being filled, were put under the counter until such time as Uncle Sam desired them. When James Collier arrived with President Taylor's commission to assume the office, no account could be given of the amount thus stowed away.⁵³ Well it might be asked, "What becomes of the funds collected from the Customs at San Francisco?"⁵⁴ But after the admission of California into the Union, business went on more "methodically and legally" as had been predicted.⁵⁵

Sentiment for an Independent Government.—References are made to the existence of a sentiment for an independent government. William A. Leidesdorff, in the summer of 1848, wrote to Governor Mason that the persons opposed to Mr. Hyde were open advocates of having California under an independent government and not being a territory of the United States. He said that they were anxious to get possession of the office in order to execute their designs in which they were supported by Mormon influ-

48. *Californian*, Oct. 20, 1847.

49. *Ibid.*

50. *California Message and Correspondence*, 686.

51. Kelly, Wm., *An Excursion to California*, Note, 250.

52. Grey, Wm., *A Picture of Pioneer Times in California*, 90.

53. *California Message and Correspondence*, 25, 29, gives Collier's description of the poor condition of the custom house; also, Grey, *A Picture of Pioneer Times in California*, 90-91.

54. *Placer Times*, Sept. 1, 1849.

55. Kelly, Wm., *An Excursion to California*, Note 250.

ence.⁵⁶ H. W. Halleck, writing to Col. J. D. Stevenson from Monterey on June 1, 1849, regarding the governmental situation, stated that most of the people preferred a state government but that a territorial would undoubtedly be the cheapest, adding, "It is nonsense, in my opinion, to organize an independent provisional government for the people will not submit to be taxed for its support."⁵⁷ Peter Burnett, the first Governor of the State of California, claims that, "There was not the slightest ground for the charge, that the people of California desired to establish an Independent Government; and I can only believe, that it was made through mistaken information, based solely on suspicion, in the minds of General Riley's informants."⁵⁸

It was doubtless this sentiment which caused Governor Riley to issue from San Francisco on June 22, 1849, a statement that instructions received by the steamer *Panama* since the issuance of his proclamation on July 3, state that "the plan of establishing an Independent Government in California cannot be sanctioned, no matter from what source it may come," whereupon he urged all to send delegates to the Convention on September 1.⁵⁹ The same issue of the *Alta California* which made this announcement, hotly denied that such an idea had ever been even contemplated:

The idea of establishing an Independent Government here—thus cutting ourselves off from the Union and from all protection of the mother country—and erecting a petty state to be the sport and play of all the great powers of the world, that may think it their *interest* or *whim* to insult and plunder us, certainly never was contemplated by our people here. Why then, are we charged with such an absurd and criminal attempt? Have the authorities at Washington been deceived as to the true state of things here? How have they come to be so mistaken? There is a great mistake somewhere. Either the people of California are *not only* too ignorant to govern themselves, as Mr. Clayton of Delaware said, but they are so very ignorant as not even to know what they did attempt or intend; or the authorities at Washington are grossly mistaken.

Benefit of Conflicting Sentiments.—It was fortunate for the people of California that the controversy regarding the *de facto* government arose, for it resulted in the early formation of a State Government and settled the question in a satisfactory manner for all. "Had General Riley conceded the right of the people of California to organize a provisional government for themselves, then they would have been most probably, content with their condition for

56. *Unbound MSS.*, Bancroft Library, 68.

57. *Leidesdorff MSS.*

58. Burnett, Peter H., *Recollections of the Past*, *MSS.*, II, 122.

59. *Alta California*, July 12, 1849.

some time to come; and had the people quietly submitted to his government the organization of the State would have been, most likely, delayed for an indefinite time.”⁶⁰ Everything seemed to conspire to bring about the desired result. The primary movements for the organization of a civil government had no connection with instructions from Washington. The movement, led at first by the larger cities, spread to the smaller communities. It was the result of the existing sentiment for a satisfactory government. The people who had so long suffered from the poor administration of laws unknown to them, were destined as a result of the opposing influences to work out for themselves the solution to their own problems,—a State Government.

60. Burnett, Peter, *Recollections of the Past*, MSS., II, 118-19.

Chapter VI

THE CONSTITUTIONAL CONVENTION

Reception of Governor Riley's Proclamation.—Governor Riley's proclamation calling upon the people to elect delegates to a Constitutional Convention was issued from Monterey, June 3, 1849, and published in San Francisco, June 14, 1849. His right to summon such a convention was strongly challenged in several cities. The strongest opposition being made in San Francisco, where the Legislative Assembly had already received his official disapproval. As late as July 12, 1849, an editorial in the *Alta California* urged the people to form a mere temporary provisional government. They stated that according to the President the *de facto* government continued after the war with the "*presumed consent of the inhabitants*," that the President therefore placed the "source of authority" in the "CONSENT of the inhabitants." They said that Governor Riley in his "Orders" of the 8th of May¹ had stated that he had no right to change or modify the existing government. Therefore they believed that it was the duty of the people to organize a temporary provisional government.

The general sentiment among the people was that the course outlined by General Riley was the best to pursue, even though it did not meet with a favorable reception among the "politicians of San Francisco."² These same politicians, as previously noted, did later acquiesce in Governor Riley's plan on June 18, from the point of view of expediency. The *Alta California* stated on June 21 that it was free to confess that he had done no more "than carry out the *letter of his instructions*. The evils resulting are undoubtedly more the fault of his predecessor and instructions, than any disposition on the gallant old General's part to circumscribe the liberties or defeat the wishes of the people of this and other districts." Monterey expressed strong sentiment against the radical action of the Legislative Assembly of San Francisco, affirming in its resolutions,³

that we will not directly or indirectly, countenance or support any illegally constituted bodies claiming Legislative powers, or obey any laws enacting from such bodies; and we would advise all persons to

1. The Orders of May 8, 1849, are given in the *Alta California* for June 21, 1849.

2. *Placer Times*, June 23, 1849.

3. *Alta California*, July 12, 1849.

disregard the enactments of such illegal and self constituted powers, as it will only involve them in difficulties of the most serious character.

Sacramento likewise opposed General Riley in his assumption of civil authority, but it also did this, it said, "not so much because we think that his government would prove inimical to our rights and interests, but for the reason that his government is one that is legally incompatible with the constitution of the country."⁴ They said that the movement to organize a provisional government the preceding winter had failed from lack of concerted action, this would be avoided by the execution of Riley's proclamation, which they therefore advocated. "We still adhere to the opinion that the course it recommends is the only one left to us."

Expression of Sentiment in Preliminary Meetings.—

General Riley in his proclamation had left the people free to decide for themselves the kind of a government which they would form, by stating that the call was for a "general convention for forming a State Constitution or a plan for Territorial government."⁵ Preliminary meetings held in the various districts revealed the attitude of the people as to whether the new government should be state or territorial. The meeting at San Jose on June 2, at which Kimball H. Dimmick presided, spoke of the neglect of Congress in its failure to provide a "territorial government" and passed resolutions calling for the election of delegates "with the avowed object of forming a State constitution, to be presented to the Congress of the United States, for admission into the Union."⁶ The people of San Diego on July 3 adopted such measures as they considered proper to have their district "represented in the convention to frame a constitution and organize a *State* government for California."⁷ Almost unconsciously these words reveal the growing feeling among the people that only a State government would meet the needs of the country. Conditions at this period were very different from conditions in 1846 when the first number of California's first newspaper, *The Californian*, had stated that they would "advocate a territorial relation of California to the United States, till the number of her inhabitants is such that she can be admitted a member of that glorious confederacy."⁸ The "number of her inhabitants" had now reached such proportions that a territorial government would not meet the needs of the

4. From the editorial entitled, "Shall We Have a Government," found in the *Placer Times*, June 23, 1849.

5. *Alta California*, June 14, 1849.

6. *Ibid.*, June 21, 1849.

7. *Ibid.*, June 26, 1849.

8. *The Californian*, Aug. 15, 1846.

period, and instinctively most of the people expressed the desire for statehood, some slight opposition coming from the southern districts, as we will see later.

Personnel of the Convention.—The body of men meeting in Colton Hall, Monterey, September 1, 1849, in which young men of American birth were largely in the majority, was animated with the highest purpose of forming a democratic American system of government, and "no questions were asked whether a candidate was a Whig or a Democrat, or whether he was from the North or the South. The only object seemed to be, to find competent men who were willing to make the sacrifice of time which the proper discharge of their duties would require."⁹ They had lived through the period of the military and *de facto* government in California, they knew the conditions existing throughout the country, they were acquainted with the sentiment of the people, and they had come with the desire to form a government which would meet the requirements of the period. All were men of independent thought, for many of the members of the western states voted independently of the speeches made. "A few of the members talked a good deal, and for the most part talked well, but it was surprising how little they influenced the votes."¹⁰

The election of the delegates was successfully carried on throughout the land, and the personnel of the Constitutional Convention was such as to well express the sentiment of the country. It was a representative body of forty-eight delegates, not men of learning primarily, but men vitally interested in the welfare of California. They were not impetuous gold seekers, for twenty-two had been in California more than three years, twenty-eight had come before the gold discovery, and seven were native Californians needing an interpreter.

Sentiment for State Government.—The sentiment of the delegates regarding state or territorial government was the first important question which arose for consideration. When William Gwin proposed the resolution "That a select committee, composed of two delegates be appointed by the President from each district, to report the plan or any portion of the plan of a State Constitution for the action of this body,"¹¹ it was found that objection was made on the ground that not all might favor a State Constitution. A

9. Report of T. Butler King, Appendix to Bayard Taylor, *Eldorado*, II, 207.

10. Willey, *The Transition Period of California*, 94.

11. Browne, J. Ross, *Report of the Debates in the Convention of California*, 19. Hereafter referred to as Browne, *Debates*.

few of the delegates from the southern part of the country desired a territorial form of government, for the large land holders in the south did not wish to be taxed for the support of a state government. This small minority¹² even suggested that "if a Territorial Government could not be formed for the whole country, that the country should be so divided as to allow them that form, while the northern population might adopt a State Government if they preferred it."¹³ However, Mr. Foster from Los Angeles said that "he did not believe that a majority of his constituents wished a separation. There was no doubt they desired a Territorial Government, but he believed they would prefer to bear their share of the burden of a State Government rather than divide the country."¹⁴ The idea was prevalent that the sentiment of the native Californians was opposed to a State Government. Exception to this was taken by Mr. Dimmick, who said that—¹⁵

He was satisfied from the conversations he had had with them, that they were nearly unanimous in favor of a State Government. As to the line of distinction attempted to be drawn between native Californians and Americans, he knew no such distinction himself; his constituents knew none. They all claimed to be Americans. . . . They all had one common interest at stake and one common object in view: The protection of government.

When the final vote was taken, twenty-eight were in favor of State Government, eight were in favor of Territorial Government. Gwin's proposition was, therefore, accepted and a committee of twenty was appointed by the chair to propose a plan for a State Constitution.¹⁶

The Constitutional Convention sought to form a government which would in all general matters conform to the laws of the United States. The legislative, executive and judicial departments of the government were modeled after those of leading states, notably New York and Iowa. References show that the constitutions of thirty states of the United States were available and probably were used.¹⁷ Provisions were made governing corporations and banks, taxation and the establishment of an educational system. A great part of the time was spent upon two issues: first, the slavery and free negro question, and, second, the boundary question. As these reveal most fully the sentiment of the Con-

12. S. C. Foster of Los Angeles, Henry A. Tefft of San Luis Obispo and J. A. Carillo of Los Angeles.

13. Browne, *Debates*, 22-23.

14. *Ibid.*, 23.

15. *Ibid.*, 23.

16. *Ibid.*, 29.

17. Cardinal Goodwin, *The Establishment of State Government in California*, 232.

stitution makers in forming the new government, we will consider them in detail.

The Negro Question.—On Monday, September 10, William E. Shannon introduced a clause into the Bill of Rights which declared, "Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State."¹⁸ Shannon had been instructed by his constituents to use every means for the exclusion of slavery in California.¹⁹ But this movement against slavery did not confine itself to the small mining districts of which he was one representative. As early as January 25, 1849, a meeting was held in San Jose which had concurred in the attitude of San Francisco in the establishment of a Provisional Government, and "On the motion of Samuel Brannan, a resolution was offered that our delegates be instructed to oppose slavery in every shape and form in the Territory of California. Adopted."²⁰ A pamphlet entitled, *Address to the Inhabitants of New Mexico and California, on the Omission by Congress to Provide Them with Territorial Governments, and on the Social and Political evils of Slavery*²¹ had been published, presumably the work of Peter Burnett, in 1849. This lengthy pamphlet gives in detail eleven reasons why California should not allow slavery, citing especially the results of that system as seen in the retardation of the southern states. The *Alta California* for July 2, 1849, in a long editorial on "The Convention," urged the abolition of slavery as a matter of expediency, independent of moral considerations which they admitted.

We do not fear to assert then, that a state constitution for California, which does not contain a provision against slavery, will never be allowed to go into effect by the Congress of the United States, and we are still more firm in our convictions that the people of California would never approve of such a document.

The sentiment throughout the country was therefore so well known that debate was unnecessary; no objection was made to the motion, and it was unanimously passed.²² The work of the convention went peacefully forward, considering that it had "got rid of its most perplexing question, and that henceforth it would be plain sailing."²³ Little did it realize the significance of this important step in expressing

18. Browne, *op. cit.*, 43.

19. A condensed account of the origin of the negro question as taken from the private MS. of Edwin T. Sherman is given by Cardinal Goodwin, *op. cit.*, 110-112.

20. *Alta California*, January 25, 1849.

21. This interesting exposition had been published through the Am. & For. Anti-Slavery Society of New York, and a copy is to be found in the Huntington Library.

22. Browne, *Debates*, 44.

23. Willey, *The Transition Period of California*, 97.

the sentiment of entering the nation as a free state, and speedily²⁴ solving for themselves the problem which was soon to convulse the nation.

There were in California many who opposed the presence of the black man, whether slave or free. McCarver of Sacramento introduced a clause to prevent the introduction of free negroes. This was at first added as an amendment to Mr. Shannon's bill²⁵ to exclude slavery, but being withdrawn there, was later introduced separately:²⁶

The Legislature shall, at its first session, pass such laws as will effectually prohibit persons of color from immigrating to and settling in this state, and to effectually prevent the owners of slaves from bringing them into this State for the purpose of setting them free.

The discussion occupied some time before its final defeat by thirty-one to eight votes.²⁷

A close study of the votes at different periods of the discussion shows that the delegates were not divided according to their adherence to the North or the South,²⁸ but largely reflected the attitude of their districts toward the introduction of the negro. The delegates from the mining districts voted largely for the proposition, while those from the cities opposed it.²⁹ This was not true in all cases, as many voted against the measure because of the fear that the presence of such a clause in the Constitution might prevent its acceptance by Congress and thwart California's admission to statehood.

The Boundary Question.—The most important and extended debate of the Convention was that on defining the boundary of California. Five men who were acquainted with the topography of California, Messrs. Hastings, Sutter, Reid, De la Guerra and Rodriguez, were appointed on the boundary committee. They reported to include nearly all of what is now the state of Nevada. Semple favored a line at the Sierra Nevada Mountains. Dr. Gwin proposed taking all of what had been known as California by Spain and Mexico, with Mr. Halleck's proviso that if Congress objected to the larger boundary, the legislature should have the power to

24. Ryan expresses the belief that the problem was more quickly settled as a result of California not holding the "lower country," where he states no class of white men could have performed the labor necessary for the cultivation of the land or the development of the mineral resources. Ryan, Wm. R., *Personal Adventures in Upper and Lower California*, II, 309.

25. Browne, *Debates*, 44.

26. *Ibid.*, 137.

27. *Ibid.*, 339.

28. Royce and Bancroft claim that the national issue before the country caused the division here. Cf. Royce, *California*, 264; Bancroft, *History of California*, VII, 292.

29. Cardinal Goodwin, *The Establishment of State Government in California*, 126-132.

accept the Sierra Nevada line.³⁰ This Gwin-Halleck resolution was the foundation of the heated debate which followed.

The great sentiment of the Convention was the solution of the boundary question with the view of the feasibility into the Union. "Between these powerful and excited parties, the Northern and Southern, California must find its way into the Union, or remain without law."³¹ The sentiment was for admission into the Union with ensuing stability in legal affairs. "With what should we be most likely to get into the Union and be relieved from our unorganized condition without law?" It had been decided that we should be a free state. The question narrowed itself down to the point: over how much territory Congress would allow us to settle the slavery question.

T. Butler King, sent here to represent the President, seems to have had considerable weight when he urged the larger boundary on the ground that the smaller boundary would leave the rest subject to contention in Congress.³² "For God's sake leave us no territory to legislate upon in Congress." He went on to state that the great object of our formation of a State Government was to avoid further legislation. There would be no question as to our admission by adopting this course; and that all subjects of minor importance could afterwards be settled. Messrs. Halleck, Sherwood and Norton were in favor of the larger boundary; Messrs. Shannon, Hastings, McCarver, McDougal and Botts favored the line formed by the Sierra Nevadas.³³

Briefly the arguments in favor of the larger boundary were: (1) that we would be more likely to be admitted by Congress if we settled the slavery question for the rest of the territory; (2) we might even save the Union from dissolution; (3) we were forming a Constitution for all the territory "recognized in the treaty of cession, in the official dispatches of our government, in the maps and memoirs published by order of the Congress of the United States, and in the maps and records of the Spanish and Mexican governments;" (4) the government would favor it because it would free them from the Wilmot Proviso; (5) the North would favor it because it would make California a free state; (6) the South would favor it, "because by deciding for ourselves, without the intervention of Congress,

30. Browne, *Debates*, 169.

31. Willey, *The Transition Period of California*, 100.

32. Browne, *Debates*, 184.

33. A complete report of the speeches is in Browne, *Debates*, 167-458, *passim*.

we merely exercise the right which has always been claimed for us by the south;"³⁴ (7) we do not know where to draw the line if we make a smaller boundary; (8) it is necessary to give government to the people who are settling east of the Sierras.

Those who favored the smaller boundary did so on the grounds that: (1) we would be more likely to be admitted as a free state, because the South would feel that the remaining territory could be admitted as a slave state; (2) Governor Riley having stated that the Sierras were the boundary in his proclamation, the country east of those mountains had not been asked to send delegates to the convention, and we therefore had no right to legislate for them; (3) the Mormons, having 25,000 population, had not been asked and so could not be included; (4) it was impracticable financially, geographically and strategically to carry our government over so vast a territory; (5) the Sierra Nevada boundary would give no question between the North and South, as there would still be left territory which could become slave territory.

Dr. Willey does not think that there was any purpose on the part of the southern members to introduce slavery later into any part of the territory by subsequent division of the State. He says that most of the men who advocated the larger boundary were northern men, while many strong southern men opposed it.³⁵ Willey further denies the preponderance of influence in the Convention by Gwin, saying that ten others had as much weight. It was not until he was in the senate that Gwin developed his power of leadership.³⁶

The most important period of the Convention was when the Gwin-Halleck resolution was adopted by a vote of twenty-nine to twenty-two. Confusion prevailed. Mr. Snyder called out, "Your constitution's gone! Your Constitution's gone!" The question was then reconsidered, and after discussion introduced by Mr. Lippitt, the Sierra Nevada boundary was adopted by a vote of thirty-two in favor and only seven against it.³⁷ "That vote fixed the boundary as it would have been determined in the beginning without debate, had it not been for the overshadowing influence of the question of slavery."³⁸

34. The proponents of the larger boundary objected to leaving the decision with Congress on the ground that Congress had no right to determine the slavery question in the territories.

35. Royce holds the opposite view; cf. Royce, *California*, 264-265.

36. Willey, *The Transition Period of California*, 105.

37. Browne, *Debates*, 458.

38. Willey, *The Transition Period of California*, 122.

Adoption of the Constitution.—The sentiment of a broad liberalism pervaded all the labors of the Constitutional Convention. The idea of a free, democratic, balanced government was at the basis of all. We find miners and landholders, conservatives and progressives, northerners and southerners, natives and foreigners, conquerers and conquered, successful in moulding a suitable instrument for united government, because under all was the sentiment of union for the benefit of all. This sentiment was broad enough to set aside petty jealousies, rivalries and clashing interests for common good. Colton states that:³⁹

the honest and patriotic purpose which animated the convention, raised that body above all national prejudice and local interests, and poured its spirit in blending power over its measures. . . .

This constitution is thoroughly democratic; no prescriptive privileges or invidious distinctions are recognized; the interests of the great mass feel every provision. Political and social equality are its bases, while the rights of private judgment and individual conscience flow untrammelled through its spirit. It is the embodiment of the American mind, throwing its convictions, impulses, and aspirations into tangible permanent shape.

Great credit is due Governor Riley for his support of the work of the Convention. In his Proclamation to the People of California, on October 3, 1849, announcing the completion of the work of the Convention, he stated in regard to the work of the coming election,⁴⁰

That their choice may be wisely made, and that the Government so organized may secure the permanent welfare and happiness of the new State, is the sincere and earnest wish of the present Executive, who, if the Constitution be ratified will with pleasure surrender his powers to whomsoever the people may designate as his successor.

Riley, in a letter on October 31, 1849, to Major R. Jones, Adj. Gen., Washington, D. C., told of the work of the Convention and, enclosing a copy of the Constitution, said,⁴¹

Whatever may be the legal objections to putting into operation a State government previous to its being acknowledged or approved by Congress, these objections must yield to the obvious necessities of the case; for the powers of the existing government are too limited, and its organization too imperfect, to provide for the wants of a country so peculiarly situated, and of a population which is augmenting with such unprecedented rapidity.

On October 12, 1849, the Governor issued from Monterey a Proclamation to the People of California requesting them to vote upon the adoption of the new Constitution.⁴² On November 13, in spite of the disagreeable weather, the

39. Colton, *Three Years in California*, 410-11.

40. *Vallejo MSS.*, Bancroft Library, XXXV, 157.

41. *California Message and Correspondence*, 850.

42. *Ibid.*, 858. A handwritten copy of this in Spanish is to be found in *Vallejo MSS.*, Bancroft Library, XXXV, 153, and an English translation in the same volume, 157.

Constitution was adopted by a vote of 12,061 to 811. It was only in one city that we find an attempt to divide the issue on the old party ground of Whig and Democrat.⁴³ The Constitution received the highest commendation and "The achievement illustrates the great capacity of the American people for self-government."⁴⁴

43. *Alta California*, Nov. 13, 1849.

44. Hunt, Rockwell D., *The Genesis of California's First Constitution*, 57.

Chapter VII

THE SENTIMENT OF CALIFORNIA'S FIRST LEGISLATURE

Sentiment for Speedy Admission into the Union.—

The sentiment of California's first State Legislature, which met at San José, December 15, 1849, was governed by the necessity of the case. The people had now organized a government in conformity with the requirement of the United States, but were without the money or authority to carry on the government. Of California it has been said,¹

It was emphatically alone in the world, with no resources for self-support, if she should fail to be admitted into the Union. . . . What a spectacle would she be if Congress should ignore her proceedings and remand her back under territorial leading-strings.

Judging by what Congress had already done, the reception it might give the new state was uncertain. When Congress had failed in two sessions to set up a Territorial government, would she now admit California as a full-fledged State? The anxiety was clearly felt by all, and the sentiment of the whole Legislature was to mould all its acts so as to gain a possible and speedy admission into the Union.

Upon the inauguration of the new Governor, Peter Burnett, who had been elected with the other state officers at the time of the adoption of the Constitution on November 13, Governor Riley issued a proclamation stating that he resigned from his office as Governor.² Great praise is due General Riley for his timely aid to the California cause. In this case he again materially aided the people in carrying out their sentiment for the organization of a government conforming to the laws of the United States. He coupled the confidence of the national government with the sincere desires of the people of California. Without his cooperation state government in California might have been seriously retarded or even frustrated.

Governor Burnett in his inaugural address said that, without awaiting the decision of Congress as to admission into the Union, they would proceed to the work at hand due to the necessity of the case. They had to limit ex-

1. Willey, *The Transition Period of California*, 125.

2. Cf. *Vallejo MSS.*, Bancroft Library, XXXV, 172.

penditures, keep the state out of debt and take steps to secure its prosperity.³

Either a brilliant destiny awaits California, or one the most sordid or degraded. She will be marked by strong and decided characteristics. Much will depend upon her early legislation . . . I hope we will be able to build up for her a reputation that will bear the just criticisms of the sensible, fair, and candid of all parties, as well as the vindictive assaults of her enemies, and the errors and indiscretions of her friends. In all your efforts to accomplish this great object, you may depend upon my most cordial co-operation in all such measures as I can conscientiously approve.

Election of Senators to Speed the Cause at Washington.—It was evident that the only course for California to pursue was to present her case before Congress and to argue it before the country. There was no alternative. One of the first acts of the Legislature was the election of Messrs. J. C. Fremont and William M. Gwin⁴ to the United States Senate. Edward Gilbert and George W. Wright had already been elected representatives to Congress at the general election of November 13. Congress was already in session and it would take them a month to make the journey, so they were immediately sent on their way.

General Provisions.—The acts of the Legislature were varied as the case required. Provisions were made for the levying and collecting of taxes, for the organization of the courts, incorporation of cities, erection of public buildings and schools, care of the public records, health, roads and highways, for the definition of the duties of officers, and many matters of general interest. In general, the laws of other states were adopted, selection being made to fit the existing conditions, which was for our benefit. This legislature has been characterized as not only the most important but the most judicious of all that were held in the state during the early period of its history.⁵

The Negro Question.—The question of the admission of the free negro into California was also introduced in this Legislature.⁶ Again, as in the Constitutional Convention, we find the division in sentiment between the mining districts and the cities, the mining districts favoring the exclusion of the negro.⁷ Reaching no decision, the vote was

3. *Journals of the State Legislature*, 1850, 41; Cf. Willey, *The Transition Period of California*, 126.

4. Before coming to California, Wm. A. Gwin had made the statement to Senator Stephen A. Douglas on the day of President Taylor's inauguration, that he was coming to California and that within one year he would return to Washington and present his credentials as Senator from California. *Gwin's Memoirs*, MSS., Bancroft Library, 5.

5. Hittell, Theodore H., *History of California*, II, 791.

6. *Journals of the California Legislature*, 1850, 338.

7. Cardinal Goodwin, *op. cit.*, 321-23.

finally taken on indefinite postponement and was carried by a vote of eight to five.⁸

One blot remains upon the action of the Legislature in regard to the negro. It was provided that no negro or Indian should be allowed to testify in court in civil cases in any action in the state to which the white man was a party. "The infamy of this provision disgraced the statute book for thirteen years and constituted the one dark spot in an otherwise brilliant record."⁹

The Boundary Question.—During the session of this first Legislature, one event took place, which, had it occurred during the Constitutional Convention, might have had serious effect. Early in January, 1850, two delegates, John Wilson and Amasa Lyman, came from the State of Deseret.¹⁰ They stated that their people had held a convention in March, 1849, and formed a constitution¹¹ which the people had later adopted. When they heard that California was preparing to hold a Constitutional Convention, they had come to attend it to ask if a boundary might be adopted large enough to include them. Arriving in California and finding that the Constitutional Convention at Monterey had completed its labors, they had proceeded to the State Legislature at San Jose. They claimed that 20,000 people were already in Salt Lake and that 30,000 were on their way there.

Governor Burnett opposed their mission,¹² and the matter was finally buried by being laid on the table. Had the delegates arrived in time for the Monterey Convention, their mission might have resulted in success instead of failure, for there one of the strongest objections to the larger boundary was that the people of Salt Lake were not represented in the Convention.¹³ Had the larger boundary been adopted, the admission of California might have been indefinitely postponed or even frustrated, for it was the smaller boundary which made Clay's Compromise possible. This Compromise, as we shall see, left the large region east of the Sierra Nevada Mountains open as possible future slave territory, and thus won the approval of the South, which was needed in order that California might be admitted into the Union.

8. *Journals of the California Legislature*, 1850, 347.

9. Hittell, Theodore H., *History of California*, II, 807.

10. *Journals of the California State Legislature*, 1850, 129. Their communications given in full, 436-42.

11. *Ibid.*, 443-52.

12. *Ibid.*, 429-35.

13. Browne, *Debates*, 173-77, *et seq.*; Cf. Willey, *The Transition Period of California*, 127.

Opposition from the Southern Part of the State.—

Generally speaking the work of the Legislature was favorably received throughout the northern part of the State. But in certain districts in the southern part exception was taken to the heavy taxation imposed upon the land by the Legislature. The Hispano-Californians of the south were the large land owners of the State, having received their estates from the Mexican government before the coming of the Americans. They naturally objected to receiving the burden of taxation.

In February, 1850, they held a mass meeting in Los Angeles in which they voiced their objections, stating that they did not wish to pay the enormous expense of State Government, and complained that the Legislature favored the more thickly populated north, and disregarded the interests of the thinly populated south.¹⁴ Los Angeles finally sent a petition to Congress on March 7, 1850,¹⁵ asking that a territory to be called Central California be formed, embracing the country from San Luis Obispo to San Diego. They stated that they had not had time to become acquainted with American institutions when they joined in forming a State Government. They did not feel that Congress would admit California as one state, because of its large and diverse interests. This forerunner of many subsequent attempts at division¹⁶ was destined to failure. Congress was too much occupied with the national issue of slavery, and its introduction in the Senate, May 9, 1850, by Senator Foote, resulted in defeat.¹⁷

14. Bancroft, *History of California*, VII. 349.

15. *Vallejo MSS.*, Bancroft Library, XIII, 41, 42, 43, 44, 45, 46.

16. Attempts at division were made in the south for nearly thirty years after the admission into the Union. In 1854-55 an attempt was made to create a State of Columbia in the south. In 1859, two-thirds of the southern population voted to separate six counties in the south, but this was killed in Congress. Efforts in 1881 and 1888 likewise failed. Cf. see J. M. Guinn, "How California Escaped State Division," *Pub. of the Hist. Soc. of So. Cal.*, 223-232.

17. *Congressional Globe*, 1850, 967.

Chapter VIII

ADMISSION INTO THE UNION

Justice of the California Cause.—We have reviewed somewhat at length the underlying sentiment of the people, together with its immediate forms of expression, in regard to the admission of what was destined to be one of the greatest states of the Union. We have seen that this sentiment was fostered by legal, economic, social and military conditions of the time; that it was undertaken with no view of overthrowing old institutions or introducing new ones; that the method pursued was pacific, to form a Constitution in harmony with the laws and institutions of the United States; and to become a member of the Union as a state among states, asking no favors, only the privilege of carrying on a peaceable government under the peaceful laws of statehood.

Slavery was unsuited to the country, the people were adverse to the slave. The question was handled only from the point of view of expediency. Had it not been the national issue of the period, it would probably have received little attention. But as such it was necessarily prominent. It therefore seems only fitting that we conclude our study with a short review of the reception of the California activities in Congressional circles.

Attitude of the 31st Congress.—The California delegates arrived in Washington, bearing with them a copy of their Constitution and a "Memorial" setting forth the sentiment of the Californians, to find Congress and the whole country agitated over the question of admitting the Mexican territory. Slavery was the bone of contention. The South, ably led by John C. Calhoun in seeking to maintain its "balance of power" now threatened as a result of the failure to continue the Missouri Compromise Line of 1820, was opposing the hated Wilmot Proviso, ever brought forward by the North.¹ It was well known that President Taylor favored the uncompromising admission of California.² But President Taylor had opposing him a legislative

1. Although California favored the Wilmot Proviso, it did not wish to have it interfere with admission. *Alta California*, Jan. 18, 1849.

2. President Taylor in his Opening Message to Congress, Dec. 4, 1849, said: No civil government having been provided by Congress for California, the people of the territory recently met in convention for the purpose of forming a state constitution, and it is believed they will shortly apply for admission of California into the Union. . . . Should this be the case, I recommend their application to the favorable consideration of Congress. Quoted in S. H. Willey's *The Transition Period of California*, 129.

body led by such men as Daniel Webster and Henry Clay.³ Clay had on January 29, 1850, introduced into the Senate a series of compromise measures, the first one of which stated that California should be admitted as a free state, the rest being an attempted settlement of the disputes between the North and South, a bill which later became known as the "Omnibus Bill."⁴

"Memorial" Presented by the California Representatives.—At this important juncture, early in February, 1850, the California representatives arrived in Washington, and on February 13, 1850, President Taylor submitted their official copy of the Constitution for California.⁵ Seeing the great opposition which had developed against them, they presented on March 13th, a "Memorial"⁶ addressed to the Senate and House of Representatives, in which they sought to give briefly the history of the necessity and the steps which resulted in the expression in California of the sentiment for a State Constitutional Government. They felt it incumbent upon them:⁷

That they should by a narration of facts, at once and forever silence those who have disregarded the obligations of courtesy and all the rules of justice, by ungenerous insinuations, unfair deductions, false promises and unwarranted conclusions.

They gave an outline of the history of the country, from its conquest by the American forces to the adoption of the present Constitution and the erection of a State Government, in brief as follows: (1) a brief history of the gradual settlement and mixed population of California; (2) its annexation by the United States, and the incompetent military government; (3) the great immigration and the resultant problems due to the gold discovery; (4) the failure of the United States to provide the promised territorial government; (5) the prevalence of lawlessness and crime; (6) the insufficiency of the Mexican law system; (7) the general concurrence of opinion that a Constitutional Convention should be held; (8) the issuance of a proclamation by Governor Riley, recommending a convention to form a constitution; but they in no way laid the responsibility at the door of Governor Riley, but claimed that it was the sentiment of the people to call it, and that the people "actually

3. Willey states that Webster and Clay opposed Taylor more on the ground of his military reputation than his statesmanship. *Op. cit.*, 125.

4. *Congressional Globe*, 1st Sess., 31st Cong., 244-47.

5. *Ibid.*, 347.

6. *Ibid.*, 515. A copy of this Memorial is given Browne, *Debates*, Appendix, XIV-XXIII. An extract from the Memorial is given in the *Appendix to the Congressional Globe*, 1st Sess., 31st Cong., 691.

7. Browne, *op. cit.*, Appendix, XIV.

took the initiative" and only concurred in the suggestions of the *de facto* governor as a matter of convenience to save time; (9) that the exclusion of slavery met with the almost unanimous approval of the people; (10) that the boundary question called out the most heated debate, but "The project of fixing the southern boundary of the state on the parallel of 36°30' was never entertained by that body;" (11) that the vote of the people in favor of the Constitution had been nearly unanimous.

The memorial closed with these fitting words,⁸ expressing the sentiment of the people of their state:

They come as free American citizens—citizens by treaty, by adoption, and by birth—and ask that they may be permitted to reap the common benefits, share the common ills, and promote the welfare, as one of the United States of America.

(Signed)

William M. Gwin,
John C. Fremont,
George W. Wright,
Edward Gilbert.

Speeches of Webster, Calhoun and Seward.—Debate continued to follow debate in Congress. Among them are three of special importance, because of the influence which they exerted upon Congress and the country in general, namely those of Calhoun, Webster and Seward. On March 4th, Calhoun gave his last speech⁹ in which he argued against allowing the inhabitants of the territories to legislate for themselves and usurp the sovereignty of the state and the authority of Congress, a course in which California had been abetted by the executive branch of our national government.

Webster, in his 7th of March speech,¹⁰ held the view that California had acted under the stress of existing conditions due to the neglect on the part of Congress to provide a government. Slavery was excluded from California by the law of nature, a law which could not be contravened by the South. Seward claimed that California deserved praise for seeking to become a state.¹¹ Her election had been made and the consent of Congress should be given or she might seek to become an independent state.

Clay's Compromise.—The question of California's admission into the Union was argued all summer. Henry Clay brought into the Senate a set of resolutions to settle all points of contest on the slavery question. Opposition

8. *Ibid.*, Appendix, XXIII.

9. *Congressional Globe*, 1st Sess., 31st. Cong., 451-55.

10. *Ibid.*, 476-84; Appendix, 269-76.

11. *Ibid.*, 1389.

was made to any plan of compromise "as being a concession to the spirit of disunion—a capitulation to those who threatened disunion."¹² The provisions of Clay's famous bill in brief were:¹³ (1) California was to be admitted into the Union with her proposed constitution which forbade slavery; (2) territorial government should be established for Utah and New Mexico, without any condition on the subject of slavery; (3) slave trade should be abolished in the District of Columbia, but that it was inexpedient to prohibit slavery there; (4) the fugitive slave law should be more stringently enforced.

Admission into the Union.—President Taylor died on July 9, 1850, and Vice-President Fillmore became President. He was favorable to the admission of California. The bill finally came before the Senate on August 13, the final vote being yeas 34 and nays 18.¹⁴ The minority wished a protest filed on the *Record Journal* of the Senate, but were refused. The bill came up in the House September 7, and after endeavor to postpone the vote by dilatory motion, it passed by 150 yeas to 56 nays.¹⁵ The bill was signed by President Fillmore on September 9, 1850. From that hour California was one of the states of the Union.

12. Senator Benton's *Thirty Years View*, II, 742.

13. *Congressional Globe*, *op cit.*, 244-47.

14. *Ibid.*, 1573.

15. *Ibid.*, 1772.

Chapter IX

RECEPTION OF THE NEWS OF ADMISSION IN CALIFORNIA

For months California had been in doubt as to the reception in Congressional circles of her action in forming a State Constitution. The necessity of the period demanded her speedy admission. Her legislative acts might be contested, her court decisions might be rendered illegal, her collection of debts under the laws might be questioned, her assessment of taxes might be considered unwarranted assumption of power and her local laws might be considered null and void. Yet California—

was pouring into the lap of the older states, and into the treasury of the General Government, through her miners and shipping, a larger revenue, and when she offered a market many times greater for her home produce, than any young state had ever done . . . a feeling of disgust was created at the selfish conduct of politicians at home, who were willing to sacrifice their brethren in California to their own selfishness, and sectional or local affairs.¹

Due to the slow communication between the East and the West, the news of the final signing of the bill by President Fillmore on September 9, 1850, did not reach California until the 18th of the following month. On that morning the mail steamer *Oregon* appeared off Golden Gate, gaily decorated with national flags and bearing a banner made on shipboard on which was inscribed, "California is a State." The steamer gave notice of her coming by the firing of her cannon. As soon as she was sighted, the good news was signalled to the city from Telegraph Hill. As the *Oregon* rounded Clark's Point, her bell² was rung steadily, and the throngs on shore and on the decks of the many vessels in the harbor greeted her with a mighty cheer. This continued long after she came to anchor.

The news spread like wildfire. Business was immediately suspended, the courts adjourned, and all who could leave their business made their way to the waterfront to join in the joyous demonstration. The newspapers imme-

1. Delano, A., *Life on the Plains and Among the Diggings*, 357.

2. This bell, which pealed forth the good news from the *Oregon*, is now one of the treasured relics of San Francisco. Eldredge, Z. S., *History of California*, III, 399. The flags which she bore were presented to the Society of California Pioneers by Captains Phelps and Cox. Bancroft, *History of California*, VI, note 347-48.

diately issued extra editions which sold at from one dollar to five dollars each.³

The joy of the people was almost beyond description. The city of San Francisco was immediately decorated with flags. The people in their frenzied delight gathered in Portsmouth Square, where two large cannon fired salute after salute. When evening came, bon-fires blazed from the hills and lit up the streets, while rockets were sent up heralding the news far and wide. Guns boomed from the hills, bands played and hastily formed processions helped the people to express their joy.

Two stages bore the news southward to San Jose, the driver calling the glad news as he sped on his way. Governor Burnett himself, sat on the high box with the driver of one of these stages and shouted to the people, "California is admitted." We may well fancy that we hear the cheer with which the welcome news was received. On October 29 the formal celebration of the admission of California was held in San Francisco.

Whatever ill will might have existed, or whatever irritation might have been felt, it had ceased in a moment and acclamation resounded throughout the land.

for the people of California loved their brethern at home, and above all, the glorious Union of States which bound them in one common tie; and also ardently desired the 'Star spangled banner' should wave over her mountain and plains, a symbol that this too was 'the land of the free and the home of the brave,' . . . Could our Atlantic brethern have witnessed the general joy, they would have joined in the prolonged shout of 'the Union, now and forever!'⁴

The sentiment of the people of California for American government had reached its fruition. This sentiment, which had been fostered by the legal, social and economic conditions of the period, had resulted in the establishment of a government—a State Government—over the land. California had entered upon the path by which it was destined to become one of the greatest states of the Union.

3. For example see the extra edition of the *Alta California* for October 18, 1850.

4. Delano, *Life on the Plains and Among the Diggings*, 358.

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DEVELOPMENT OF TRAVEL BETWEEN SOUTHERN ARIZONA AND LOS ANGELES AS IT RELATED TO THE SAN BERNARDINO VALLEY

BY GEORGE WILLIAM BEATTIE

A thoughtful student of the history of California can hardly fail sooner or later to have his attention drawn to the routes by which the land was originally entered. Embracing as it does mountain, valley and desert, roads through it have not wandered as they listed, but have gone in obedience to imperious conditions. Long established highways are usually the result of numerous experiments—survivals of the fittest—and a study of their evolution is almost certain to bring out much that is thrillingly interesting. This paper is an endeavor to show something of what has gone into the making of *one* of these roads into California—a comparatively short stretch of the great transcontinental highway known in the days of the Forty-niners as the Southern Overland Route.¹

The San Bernardino-Sonora Road

One of the first matters to come up in any newly settled region is that of deciding which of its various roads shall be classified as public highways. This problem arose in Southern California very soon after the State was formed. In Los Angeles County, which then included the San Bernardino Valley and the northern part of what is now Riverside County, an order adopted by the Court of Sessions, May 19, 1851,² designated certain roads as "public highways," each being carefully defined although in terms that would be unfamiliar to most of us today. One of these roads was referred to as the "San Bernardino-Sonora Road." Its description in the Court Order reads:

1. The Southern Overland Route was referred to later by engineers seeking a line for a railway to the Pacific as the Thirty-second Parallel Route. The portion of it lying between the Colorado River and Los Angeles is now, oddly enough, known as The Ocean to Ocean Highway.

2. The order is somewhat inaccurately quoted in Guinn, J. M., "Old Highways of Los Angeles," Historical Society of Southern Calif., *Annual Publications*, (1905) Vol. VI, Part III, p. 256. According to U. S. Township Maps, this old road crossed the present line of the Santa Fe Railroad at North Pomona, and ran $\frac{1}{4}$ mile south of the same railroad at Claremont, 1 mile north of the Southern Pacific at Ontario, $\frac{1}{4}$ miles north of that railroad at Guasti, and touched the base of the hills at Declez Quarry, passing on to the Aguajito, a little to the east. The course of the road from the Aguajito to Politana is indefinite, in the light of present knowledge.



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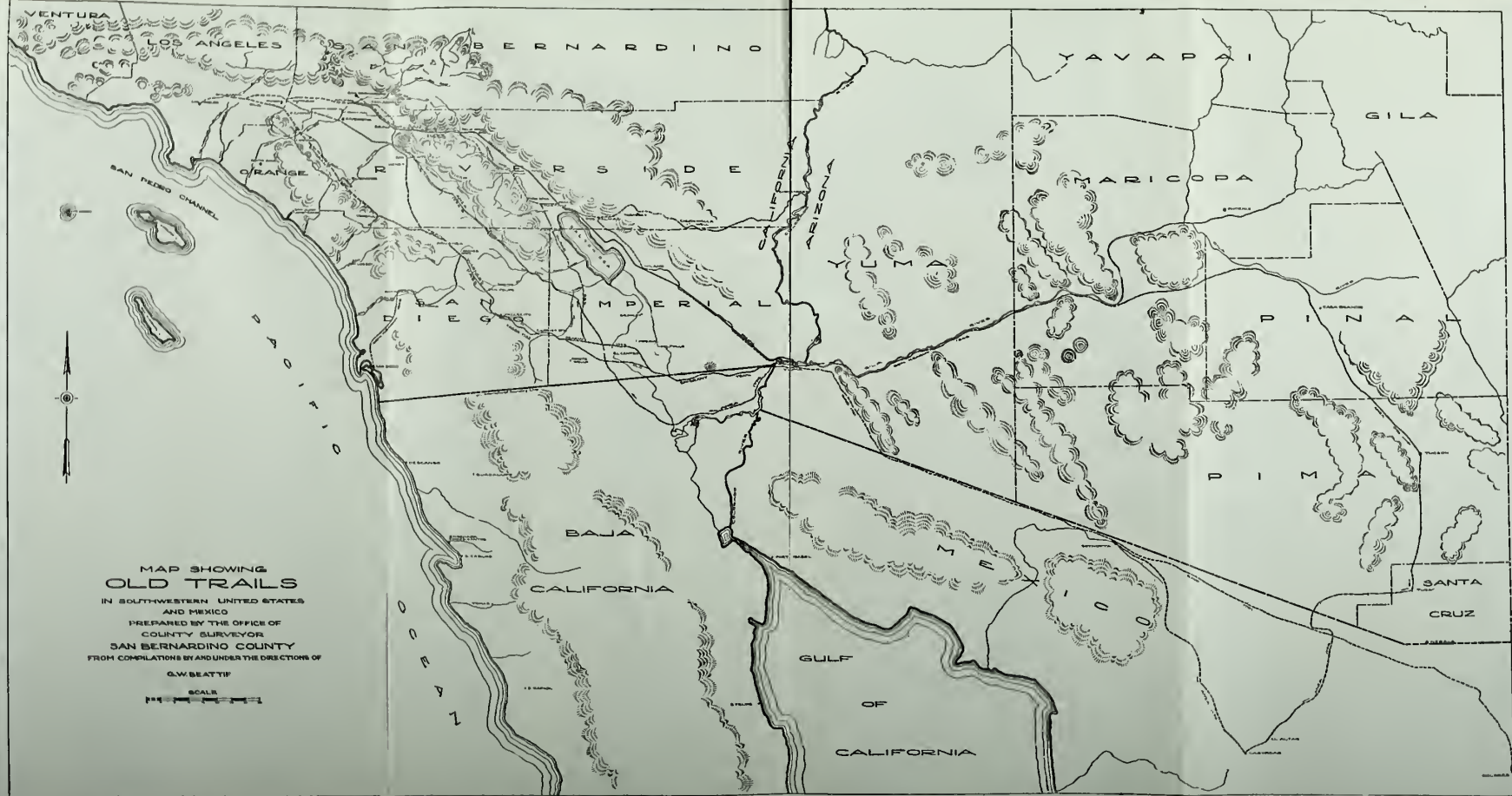
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The above routes are approximated from: Emory's map of Kearny's journey; Blake's map, Vol. V, Pac. R. R. Reports; U. S. Township maps; U. S. Topographical maps; U. S. Water Supply papers; Auto Club Sou. California road maps; Father Font's map; diagrams of routes in Eldridge, Z. S., *Beginnings of San Francisco*; Richmond, I. B., *California under Spain and Mexico*; Bolton, H. E., *Kino's Historical Memoirs of Pimeria Alta*; and journals of expeditions.



"From Los Angeles to San Gabriel and below Azusa between San Antonio and San Jose,³ by the Plain below the Rancho of Cucamonga, thence to the hill of the Aguajita (Aguajito)⁴ by the Old Pueblo (Pueblo) of the New Mexicans, known as the land of Apolitan,⁵ by Jumua⁶ and San Bernardino⁷ to Yucaypa (Yucaipa) and San Gregorio (San Gorgonio.)"⁸

One mile to the south of San Gorgonio ran the line separating Los Angeles County from the county of San Diego, and the road was not described further as its course thenceforward was no concern of the Los Angeles County officials.

Recent investigations justify the belief set forth in this paper—that, after reaching San Gorgonio, the San Bernardino-Sonora Road turned southward and ran, via the present Lamb Canyon, to San Jacinto; thence to what is now Hemet; then through the hills, following approximately the line of the present St. John's Grade; and on until near what is now Aguanga, west of Warner's Ranch, it merged with another road from San Gabriel that was designated in the Court Order as the Colorado Road.⁹ From this point of junction on to the desert and Sonora, the San Bernardino-Sonora Road and the Colorado Road were one

3. San Antonio and San Jose were two old cattle ranchos of the Mission San Gabriel. They were included in the Mexican Grant of the "San Jose Rancho" issued in 1837 to Ygnacio Palomares and Ricardo Vihar. This grant included lands from the hills south of Pomona to the mountains north of Claremont. San Antonio, the northern part of the grant, was occupied by Palomares. The headquarters for San Antonio in mission days was half a mile west of Claremont and a little north of the Santa Fe Railroad. The old San Jose Rancho was the southern part of the San Jose Grant.

4. "Hill of Aguajito," or little watering place—a small spring on the hillside east of Declez Quarry.

5. The term "Old Pueblo of the New Mexicans," referred to a settlement of people formerly connected with the Santa Fe caravans who in 1842 or 1843 had been presented by the Lugos with about 2200 acres of land south and west of the present Bunker Hill. Their homes were on the bluff on the eastern end of the tract. This land was given in order that their settlement might protect cattle on the Lugo "Rancho San Bernardino" from Indian raids. These colonists later, in response to a more attractive offer from Juan Bandini, owner of the "Jurupa Rancho" south of Slover Mountain, moved to what was called the "Bandini Donation," on the Jurupa Rancho. Apolitan, Politan, Politana, Epolitana, Hypolitana, are apparently variations of a name in court records which according to the testimony of David Seeley, who came to the valley in 1851, was derived from the name of Hipolito Espinosa, one of the original New Mexican settlers.

6. Jumua, or Jumuba, was an Indian rancheria south of the Santa Ana river and east of Colton. San Gabriel Mission had cattle corrals there. The home of Jose Maria Lugo, one of the owners of the San Bernardino Rancho, was at Jumua.

7. Not the present City, but the branch of the San Gabriel Mission at Old San Bernardino, now on the outskirts of Redlands.

8. The old name of the settlement at the summit of San Gorgonio Pass. In 1887, a townsite was platted there, and the name San Gorgonio was changed to Beaumont.

9. The Court Order defined the "Colorado Road" as running "From Los Angeles to Mission San Gabriel, thence to the Rancho of Puente, thence to the Rancho of Ybarras, thence to the Rancho Chino, thence to the Rincon, and thence to the Sierra and Temascal (Temescal) and thence to the Laguna and Tamacola (Temecula)."

and the same. Bearing this fact in mind will save the reader considerable confusion.

Pioneers state that the road followed this course, and modern road maps show that such a route would have been the most feasible one. This region had been inhabited by Indians for generations, and was traversed by well-established trails. When Sonorans and Americans began coming in to California, they naturally followed the old paths whenever possible.¹⁰

After describing the roads in Los Angeles County that were to be public highways, the Court Order closed with this explanatory statement:

" and the roads in this order heretofore described are understood to be the roads existing as they have been long established and used."

The words "long established and used" attract immediate attention, since they invest the San Bernardino-Sonora Road with an antiquity of which people generally are unaware.

The very name of this road is intriguing. It leads back into history more than two and a quarter centuries, and recalls innumerable romances and adventures, though, up to comparatively recent times, it was but little more than a trail for horsemen and pack animals, traveled by ox carts only through the stretches that were open and fairly level. Starting in the Mexican state of Sonora, it had stretched to the northwest, over courses many of which are now almost or entirely forgotten. The name brings to mind Father Kino, the missionary who was perhaps responsible for the road's beginning; it recalls the Anzas and Pedro Fages, the adventurous soldiers and explorers; it recalls the race against time of Amador to head off the delivery of California missions to scheming colonizers; it brings to mind journeys of the "Santa Fe Traders"; over a part of it, guided by Kit Carson, marched General Kearny and his men on their way from Santa Fe to San Diego; over it crawled thousands of Argonauts on their way to the gold

10. Mr. Silas C. Cox, born 1843, and still living in San Bernardino, (1925) tells in his manuscript reminiscences of being taken over the above described trail, in 1852, by James W. Waters, and refers to a trip over the same route nine years later to recover a stolen horse from a band of thieves. Mr. Francisco Remidiz, of Redlands, was United States mail carrier in the early seventies between San Bernardino and Julian, in San Diego County. He was familiar with all the trails in the vicinity of his route, and says an old Sonoran then living near Sage used to tell him about the early travel of Sonorans over this route from Warner's Ranch to San Geronio. Mr. Remidiz is a grandson of Jose Bermudas, a Spaniard from Sonora, and the only white man who lived on the site of the present City of San Bernardino in the period between the abandonment of the San Bernardino *asistencia* and the coming, in 1842, of the Lugos. Mr. George Wilson—born 1852, at Old San Bernardino, and an early prospector in the region south of Warner's Pass—also outlined the route as given above.

fields; over long stretches of it raced Overland Mail stages on their run from St. Louis to San Francisco; over part of it Crabb and his misguided colonists—or filibusters—marched to their death; over it traveled engineers in their search for a route by which a railway could reach the Pacific. A historic road, indeed.

Leaving out of consideration the uncertain and now all but forgotten wanderings of the Spaniards along the Colorado River during the years 1539-41, the first four hundred miles of the San Bernardino-Sonora Road—those leading from the interior of Sonora to Yuma—were first traveled by white men between the years 1699 and 1701. And here enters our first hero.¹¹

In 1681, the year in which Charles Second, of England, granted William Penn his charter to Pennsylvania, there came to the City of Mexico a Jesuit priest of Italian ancestry but German birth and education—Eusebio Francisco Kino. He was a scientific man, and before leaving Germany had been offered the professorship of mathematics in the University of Ingolstadt, Bavaria, an offer that he declined as he was eager to devote his life to the mission service.

He was specially trained for geographical research and map-making, and his first assignment in "New Spain" was as missionary and royal cosmographer in the stations then being established in the peninsula of Baja California. When the exhaustion of the food supplies forced the temporary abandonment of these stations, Father Kino was transferred to the region now known as northern Sonora, in Mexico, and Southern Arizona, in the United States; a region bounded on the north by the Gila River and on the west by the Colorado River and the Gulf of California.

I would that I might dwell on the activities of this learned, efficient and devoted priest in our great Southwest—three-quarters of a century before our Declaration of Independence, and nearly three-quarters of a century before the coming of the great Franciscan, Junipero Serra. Kino established missions among Indians of many different tribes, and instructed them in agriculture and stock-raising. In the up-building of his various stations, he became the veritable cattle king of the Southwest. He made long journeys over mountains and deserts, often with none but Indians as companions, and his knowledge of and resourcefulness in the desert was unsurpassed by Carson or any of

11. Bolton, H. E., *Father Kino's Historical Memoir of Pimeria Alta.*

the other desert rangers of later days. His habits of scientific observation and research and his continued anxiety for the welfare of the missions in Baja California, even after he had left them, had a direct bearing on the development of the San Bernardino-Sonora Road.

One of the chief problems occupying geographers and navigators of Kino's day was that of finding a Northwest Passage from the Atlantic to the Pacific. Knowledge of western America was but vague, and it was commonly believed that the Gulf of California extended north to what was called the North Sea, and that the territory constituting Alta and Baja California was an island. To Father Kino, this problem was of deep scientific interest, but it had an added importance for him owing to his realization of the need of a more practicable way of getting supplies to the missions in Baja California than through the arduous and uncertain voyage across the treacherous gulf.

He was then living at Mission Dolores, more than a hundred miles south of the present city of Tucson; and on one of his journeys—to a point near the confluence of the Gila and the Colorado rivers—some Indians presented him with a handful of blue shells. It occurred to him later that he had seen shells similar to them on the western or ocean side of Baja California, but that he had never found them on the shores of the gulf. He reasoned that since the Indians were not sailors, there should be a route from the Pacific side of California, and the shells became important bits of evidence.

In order to learn whether the Indians had obtained them elsewhere than on the Pacific coast, he decided to hold a general Indian conference, and sent messengers to tribes living to the north, the northwest, and the west, summoning their head men to San Xavier del Bac, near what is now Tucson. Indian justices, captains, and governors arrived, some from distances of forty and fifty leagues; and as Father Kino wrote:

"Immediately, and also at night, we had long talks, in the first place in regard to our holy faith At the same time I made further and further inquiries as to whence came the blue shells, and all asserted that there were none in this nearest Sea of California,¹² but that they came from other lands more remote."

From information gained in this conference and verified in journeys of exploration, some of them one hundred fifty, one hundred seventy, or even two hundred leagues in length, over approximately the route that later became

12. Gulf of California.

the Sonora Road, Father Kino was able, in 1702, to make the triumphant report:

"I have discovered with all minute certainty and evidence, with mariner's compass and astrolabe in my hands, that California is not an island but a peninsula . . . and that in thirty-two degrees of latitude there is a passage by land to California, and that only to about that point comes the head of the Sea of California."

Father Kino reached the Colorado River as early as 1701, and crossed to the California side of it, but the missions in Baja California never profited by his discovery of the land route to them from Mexico. Seventy-three years were to pass before any actual use was made of it. The knowledge that such a route existed stirred the souls of the adventurous minded in Mexico, but the difficulties and perils associated with it discouraged action until the establishment, in 1769, of missions in Alta California, when the overwhelming need for a land route to them led the viceroy to encourage efforts to find one. Captain Juan Bautista de Anza, a Spanish officer from the presidio of Tubac, in Sonora, volunteered to make the attempt—bearing the expense of his equipment himself—and the viceroy accepted his offer.¹³

Anza's forebears had been in military service on the frontiers of "New Spain" for several generations. His father, before him, had sought the privilege of hunting out a route into California, but his services had been required in an Indian uprising, in which he was killed. To the son, the dream of the adventure must have descended as a sacred heritage.

In 1774, therefore, accompanied by soldiers, priests, muleteers, and other assistants—a party numbering thirty-four—Anza left Tubac and made his way northwest to the junction of the Gila and the Colorado by what was the most direct but also the most dangerous, from the standpoint of desert perils, of the routes that Father Kino had traveled. He made friends with the Indians along the way, and especially with the powerful Yumas on the Colorado, realizing that the assistance of these latter Indians would be indispensable in crossing the river. After fording, he followed the river downward to a lagoon south of the present California line in an effort to avoid the sand dunes that were facing him. From there he attempted to cross the desert. Six days of wandering through sand drifts with their lack of water and feed nearly ended the expedition

13. Cf.: Eldredge, Z. S., *Beginnings of San Francisco*; Bolton, H. E., *Dedicatory Address, San Carlos Pass*, May 25, 1924; "Diary of Pedro Font," *Academy of Pacific Coast History, Publications*, Vol. 3.

then and there. He struggled back to the lagoon minus many of his animals, his men compelled to travel on foot because of the exhausted condition of the mounts that were left.

They rested several days and then started anew. By going still farther south to a point where the desert was narrower, they succeeded in crossing it. They then pursued a northwesterly course along the base of the mountains to what is known as San Felipe Creek, at the point where it emerges from the San Jacinto Mountains. Water, though poor in quality, was found here in abundance. This was the first known crossing of the desert by white men. They then ascended San Felipe Creek, crossed what we now call Borego Valley, ascended the canyon of Coyote Creek, and crossed the summit of the divide south of Mt. San Jacinto by a pass that led to the Cahuilla Valley; thence they descended the canyon of Bautista Creek, crossed the valley of the San Jacinto, forded the Santa Ana River near Riverside, and from there proceeded to Mission San Gabriel by the most direct route, two and a half months from Sonora. The long dreamed of overland route to Alta California had been found.

The fathers at San Gabriel were not then raising enough to support themselves, although the fertile soil soon afterward rendered their mission the most prosperous of any in California. Anza found them with but a scant month's supply of food, but they rang the mission bells in their exultation over the discovery of the route that would free them from the uncertainties attending the transporting of their supplies by sea, and they were only too happy to share their meager hoards with their deliverers.

On the way back to Mexico, Anza profited by his experience and crossed the desert by a more direct line which thereafter became the regular road. On reaching Sonora, he was rewarded with the rank of Lieutenant Colonel. He promptly organized a second and much larger expedition, financed this time by the viceroy, and composed largely of colonists who were to settle on the bay of San Francisco. This expedition reached Mission San Gabriel January 4, 1776.

Three years later, two Spanish settlements were made on the California side of the Colorado River near its junction with the Gila—a strategic point in the Spanish advance—but the settlements were short lived. Anza's soldiers, bearing gifts and representing the power of Spain, had been welcomed by the Indians who cheerfully ac-

knowledgeed allegiance to the viceroy; but the settlers were doubtless tactless, and they soon came to be regarded as usurpers. In July, 1781, a band of colonists with a military escort crossed the Colorado on their way to what was to become the pueblo of Los Angeles. After helping the travelers across the river, part of the escort returned and camped on the river bank opposite the settlements. The Yumas rose suddenly in revolt, killed the soldiers in the camp, the men in the two settlements across the river, including four priests, and made captives of the women and children.

Two punitive expeditions were sent from Sonora, one in September and one in November, both under the command of Lieutenant Colonel Pedro Fages.¹⁴ They met the Yumas, killed a number of them, rescued the captive women and children, recovered the bodies of the four priests, collected the ashes of the others that had been slain, and regained some of the scattered mission property. A third punitive expedition was planned; and while arrangements were being completed, Fages, with a small detachment of soldiers, made two journeys to San Gabriel with dispatches. The first trip was wholly by the Anza route. On the second, Fages followed the Anza road across the desert and then, at the watering place on San Felipe Creek, he abandoned the established trail and entered the unexplored territory to the southwest. He wrote in his diary, in April, 1782:

"Hearing that the Indians in the mountains about San Diego were in a state of insurrection, I thought I might observe their movements and make them feel some respect if I should change my route and pass through their territory on my way. So . . . traveling five leagues southward . . . we stopped to rest at the mouth of a dry stream."

This stream was Carrizo Creek. He made his way through the mountains, by way of Carrizo Creek, San Felipe Valley, Warner's Pass, and the valley of the San Luis Rey River, to San Diego and thence to San Gabriel. At one point he wrote in his diary:

"We halted here and named the place San Felipe. This location is so well provided with pasture and water, with a superabundance of fine magueys, as well as of firewood, that it has the conditions required for establishing a presidio."

Fages later became one of California's most notable Spanish governors. His discovery of a way from the desert to Warner's Pass was his contribution to the San Bernardino-Sonora Road.

14. "Diary of Pedro Fages," Academy of Pacific Coast History, *Publications*, Vol. 3.

With the closing of the Fages diary, kept during these two trips into Alta California, the land route from Sonora drops abruptly out of Spanish records. The settlements on the Colorado that the Yumas destroyed were never re-established, and for years the Anza road was practically abandoned. So complete was its disuse that until very recently the course it followed was a question for dispute among historians. Not a spot between the Colorado and San Gabriel bears any name given to it as a result of Anza's passage, unless it be the Pass of San Carlos which has been resurrected from oblivion by the Native Sons of the Golden West, who recently erected a monument at its summit.

But the missionaries in Alta California did not forget the road. The San Bernardino-Sonora Road is referred to by the Fathers of San Gabriel in their report, of 1822,¹⁵ on the founding of the San Bernardino *asistencia* when they say:

"This locality (San Bernardino) . . . is traversed by the road to the Colorado River . . . It (the *asistencia*) lies at a distance of fifteen or sixteen leagues from this mission, across an expanse of chamisa brush which skirts the mountain range, through which a road could be opened."

It should be understood that when the *asistencia* was established, the road to it from San Gabriel led via Guapa (southwest of Riverside) and did not run direct as it ran later; but, from the last sentence of the quotation we infer that the direct road was then (1822) in the minds of the fathers; and when, in January, 1827, the Jedediah Strong Smith party traveled from San Gabriel to the *asistencia*, they found the road established. They traveled it themselves, and the diarist of the expedition, writing while in camp four miles west of the *asistencia*, reported "Ind (ians) traveling back and forward from the mission steady."¹⁶ The *asistencia* was a frontier post through which the Indians of the mountains were to be reached, and it gave the San Bernardino-Sonora Road a local importance that it had not possessed before.

We know nothing more of travel between Sonora and California for half a century, or until the advent of American trappers, explorers and traders from Santa Fe. They brought back into use the Anza-Fages route that had been abandoned since 1782, and some of them played appreci-

15. Santa Barbara Mission Archives. Informes y Correspondencia, 1802-1822. Tomo. III. Informe de la Mision de San Gabriel, Articulo 30, pp. 268-269. Copy secured from Bancroft Library.

16. Harrison Rogers' Diary. Copy secured from Missouri Historical Society. This diary has been published in Dale, H. C., *The Ashley-Smith Explorations and the Discovery of a Central Route to the Pacific, 1822-1829*. See p. 227.

able parts in its extension.¹⁷ The first of these men to reach California, by the Southern Overland Route, was David E. Jackson, a former partner of Jedediah Strong Smith. Accompanied by eleven men, one of whom was J. J. Warner, Jackson made his way from Santa Fe to San Diego, traveling to Yuma via Tucson and the Gila, and from there crossing the desert and the mountains by practically the same route covered by Pedro Fages in 1782, forty-nine years before. So completely gone, however, was any trace or memory even of a former expedition that the route had to be worked out anew. In his "Reminiscences," Colonel Warner says:

"When Jackson's party came from New Mexico to California in 1831, there could not be found in Tucson or Altar—although they were both military posts and towns of considerable population—a man who had ever been over the route from those towns to California by the way of the Colorado River, or even to that river, to serve as a guide, or from whom any information concerning the route could be obtained, and the trail from Tucson to the Gila River at the Pima villages was too little used and obscure to be easily followed, and from those villages down the Gila River to the Colorado River and from thence to within less than a hundred miles of San Diego there was no trail, not even an Indian path."

The earliest mention that we have of the road from Warner's Ranch to Los Angeles, by way of Temecula and Lake Elsinore—the road designated as the "Colorado Road"—is in Warner's "Reminiscences" where, in discussing Jackson's trip from Santa Fe, he describes the party as arriving in Los Angeles from San Diego December 5, 1831, and going north to the missions about San Francisco Bay where they brought six hundred mules and one hundred horses; then returning to Los Angeles in the following March where Jackson was joined by Ewing Young whom he had taken as a partner after the death of Jedediah Smith. Warner says:¹⁸

"It was resolved that Jackson should return to New Mexico over the route by which he came In May, the return party . . . left camp on the Santa Ana River at the Sierra Rancho"

17. Some of the Santa Fe traders were men of exceptional ability. Colonel J. J. Warner, of Warner's Ranch fame, was with them for a time, and he furnishes much information concerning them. In his "Reminiscences" he states that they established trade relations between Santa Fe and California that lasted about twelve years. They brought Indian blankets and coarse woollens, returning with Chinese silks, fine bleached grass cloth, and bands of horses and mules. Owing to the perils attending their journeys, they traveled in companies or "caravans." Many men who were leaders or employees of these trading companies became settlers and well-known personages in California. The caravans did not travel by the Old Emigrant Road, but took a more northern route, from Santa Fe across the Mojave desert, entering San Bernardino Valley by Cajon Pass. Other traders sometimes used the route down the Gila River. Warner mentions five American settlers in California who came by this route, with a party, in 1833. There were doubtless others.

18. Warner, J. J., "Reminiscences of Early California from 1831-1846," Historical Society of Southern California, *Annual Publications* 1907-1908. Vol. VII. Part II-III p. 179.

. for the Colorado River where we arrived in June and found the river nearly bank full."

This reference to the Sierra Rancho, on which is located the present city of Corona, fixes the route that the Jackson party must have taken. The Los Angeles Court Order shows, however, that travel from the Colorado Desert must have gone sometimes by way of Temecula, Lake Elsinore, and the Sierra Rancho, and sometimes through the San Bernardino Valley. How much of the travel went by the one route and how much by the other, will probably never be known. A paragraph in the Los Angeles *Star*, twenty years later, informs us that San Bernardino was "On one (and the best) of the direct roads to Sonora."¹⁹

To this period—the early thirties, after travel had been reestablished by the Santa Fe Traders—belongs one of the dramatic events connected with the San Bernardino-Sonora Road. In 1834, during the absence from office of the Mexican President, Santa Anna, the Acting President issued an appointment to one Jose Maria Hjar as Governor of California, in place of Jose Figueroa, who had petitioned to be relieved. In addition to serving as Governor, Hjar was to head a gigantic colonizing scheme that involved the taking over of all mission properties in Alta California. When Santa Anna returned, he promptly disavowed the action of the Vice President and sent a swift horseman, Rafael Amador, with orders countermanding the appointment of Hjar, who was then on his way to California by sea, and directing Figueroa to remain in office. Amador's trip was eventful. At Yuma, Indians robbed him of his horse and other possessions, but he managed to make his way across the desert and through the mountains, although at times he nearly perished from hunger and thirst. He came out through the valley of the San Luis Rey, and then made his way northward to Monterey, reaching that station before Hjar. He was forty-eight days on the way—an unprecedentedly rapid trip. Bancroft quotes authority for the statement that President Santa Anna rewarded Amador for this exploit with a purse of three thousand dollars.²⁰

In 1846, during the Mexican War, General Stephen W. Kearny, of the United States Army, was selected to

19. In the Hayes Collection, Bancroft Library, is a clipping from the Los Angeles *Star*, July 5, 1851, reading as follows: "THE MORMONS — We learn they are negotiating for the purchase of the Rancho of San Bernardino from the family of Don Antonio Maria Lugo. This rancho is about sixty-five miles from Los Angeles, on one (and the best) of the direct roads to Sonora."

20. Bancroft, H. H., *History of California*, Vol. III, p. 271.

conduct the Advance Guard of the Army of the West from Fort Leavenworth to San Diego. At Santa Fe, he left all but about one hundred of his men, and then pushed on with the smaller force by the most direct route then known. The trails he followed down the Rio Grande and westward to the Pima villages on the Gila were passable only for horsemen; so Lieutenant Colonel Philip St. George Cooke, with the Mormon Battalion so intimately connected later with the history of the San Bernardino Valley, sought and found a road for the wagons by going south into Sonora,²¹ and then working upward again to the Pima villages. From these villages, Kearny and Cooke followed practically the same route, down the river, across the desert, and up Carizzo Creek to Warner's Ranch, although they were a month apart. From Warner's to San Diego, Cooke and Kearny went by different routes. Lieutenant W. H. Emory, a topographical engineer with Kearny, describes the trip²² across the desert, saying that the animals were without water from forty-eight to sixty hours, and then traveled fifty-four miles before finding water again. Many of them died.

Evidence of occasional use of the road through Warner's Pass by travelers to and from Sonora was reported. When near the confluence of the Gila and the Colorado, a horseman was intercepted with mail for Sonora, and at about the same time, a party of men under Emory captured a band of Mexicans with five hundred horses, just brought from California for the use of the Mexican army. On reaching Warner's Ranch, Emory wrote:

"We ascertained . . . that we were now in possession of the great pass to Sonora, by which he (the enemy) expected to retreat, if defeated . . . and to communicate with Mexico."

Gold seekers made use of this route into California in 1849-50, and travel by both Americans and Mexicans was heavy. In a memorial to Congress, in 1850, asking for the establishment of a custom house at San Pedro, the petitioners say:

"At least ten thousand Sonorans pass through Los Angeles on their way to the mines each spring, generally returning to Mexico in the autumn."²³

Probably more than ten thousand Americans used the route that year. It was at that time that it became known as the Old Emigrant Road.

21. Philip St. George Cooke, *Journal of March from Santa Fe to San Diego*, Senate Documents, 30th Congress, Special Session, Doc. 2.

22. Emory, W. H., *Notes of a Military Reconnoissance, Fort Leavenworth to San Diego*.

23. Guinn, J. M., "The Sonoran Migration," Historical Society of Southern California, *Annual Publications*, 1909-1910. Vol. VIII, Parts I-II, p. 33.

The Crabb Expedition,²⁴ to which reference was made early in this paper, was an aggregation of men headed by Henry A. Crabb and several former members of the California Legislature, that marched into Mexico for the alleged purpose of establishing a colony there under the existing laws of the land. They traveled from San Francisco to San Pedro by steamer, marched to El Monte where they purchased draft animals, and then proceeded to Sonora via Warner's Pass and Fort Yuma. The expedition was armed, and was organized along military lines. The Mexican authorities did not receive them kindly, but denounced them as filibusters, and, although they surrendered, treacherously shot them. Only one survivor, a fourteen year old boy named Evans, was left to tell what had happened. In his deposition he states that the party spent a week at Warner's Ranch before crossing the desert to Fort Yuma, thus showing the route that they followed.

In 1858, the San Bernardino-Sonora Road attained national importance when the Butterfield Company adopted a stretch of it for their stages carrying mail between St. Louis and San Francisco, continuing its use until the outbreak of the Civil War. They did not travel through the San Bernardino Valley, but, after leaving Warner's Ranch, went to Los Angeles by way of Temecula, Sierra Rancho, and Chino. This latter route was the military road between California and Arizona during the Civil War, and an army post, Camp Wright, was maintained at Oak Grove, the first of the stage stations west of Warner's.

Why the San Bernardino-Sonora Road Did Not Run Through San Gorgonio Pass

A casual reader of the description of the San Bernardino-Sonora Road in the Los Angeles County Court order—where, we remember, the road was traced only from Los Angeles to San Gorgonio—would be wholly justified in wondering why, after reaching San Gorgonio, the trail turned abruptly to the south and proceeded to Yuma by the roundabout way of Warner's Pass and Carrizo Creek instead of continuing eastward from San Gorgonio and crossing the desert either by a direct line or by following the line of the present paved highway on the west side of

²⁴. Cleland, Robert G., *A History of California. The American Period*, pp. 338-342.

the Salton Sea, and joining the Old Emigrant Road to Yuma in what we now call the Imperial Valley. That such was the course of travel is generally believed. It will be remembered that Bancroft²⁵ described Anza's Expedition as coming through the San Gorgonio Pass along the line followed by the Southern Pacific Railroad, although this idea is definitely negated by the observations for latitude taken by a member of Anza's own party; and the careful, scholarly Guinn routed bands of Sonoran miners through this pass in the gold days.²⁶ Furthermore, another able California historian states that, in 1857, the Crabb Expedition went via San Gorgonio Pass and Coachella Valley to Fort Yuma.²⁸ It is to be regretted that no authorities are cited for any of these statements, as it seems probable, in the light of evidence presented in this paper, that some of the authorities were misunderstood and hence misinterpreted.

San Gorgonio Pass would have been much easier to travel than Warner's Pass and Carrizo Creek, and it is only through a study of the development of travel through these regions, from the early Spanish days through the Mexican occupation and the gold days, and through a knowledge of the character of the desert between San Gorgonio and San Felipe Creek that we come to understand why the San Bernardino-Sonora Road went as it did, and that we acquire a basis for reinterpreting the authorities on which some of our historians have relied.

In 1853, Professor William P. Blake, a geologist in a party of United States engineers hunting available routes for a railway to the Pacific Coast, reported on a trip made from San Bernardino through San Gorgonio Pass to the Old Emigrant Road and thence, by Carrizo Creek, to Warner's Ranch.²⁹ The Indians living on the eastern approach to the Pass told him that his was the first party of white men with wagons that had ever gone that way.

Blake reported water in abundance at such points as Palm Springs, Indian Wells, Cahuilla Villages (Martinez), and Point of Rocks (Fish Springs); and at these places the Indians had quantities of grain, melons and squashes that they were eager to exchange for bacon, pork and other supplies. Beyond Point of Rocks, he said:

"None of the Indians could be induced to go with us; they were afraid to venture, saying that there was neither grass nor water, and that we could not take the wagons."

25. Bancroft, H. H., *History of California*, Vol. I, p. 223.

26. See Note 23.

28. See Note 24.

29. *Pacific Railway Reports*, Vol. V. Blake's report is included in the report of Lieut. R. S. Williamson. The party that explored the San Gorgonio Pass was under the immediate command of Lieut. J. G. Parke.

The party therefore proceeded without guides. They found the country cut into deep gullies into and out of which they had to construct roads, and they spent thirty-seven hours in covering twenty-five miles. Pioneers now living refer to this stretch of the desert as the "bad lands."³⁰ Owing to the exhausted condition of their mules, the party were on the point of abandoning their wagons when, unexpectedly, they came upon a stream of brackish water twenty miles north of the Old Emigrant Road. Blake dubbed the stream Salt Creek. It is known on modern maps as San Felipe Creek, and is the stream which, in 1775, revived Anza's party after their march across the desert. From this stream Blake's party proceeded to Carrizo Creek and Warner's Ranch. Later they retraced their course to the desert, and crossed to Fort Yuma. While halting for the night on Carrizo Creek, Blake reported:

"A party of Sonorans, with several ladies, arrived shortly afterwards from the desert, and encamped just below us."

These statements of Blake, especially the reported unwillingness of the Indians to serve as guides through the country between San Gorgonio Pass and San Felipe Creek, suggest the idea that is worked out in this paper—that no general travel went through the San Gorgonio Pass in the days of Mexican control or in the early days of American occupation despite seeming assertions to the contrary, and that the route from Sonora to California was by way of Warner's Pass. There is evidence to the effect that rare and infrequent trips through San Gorgonio Pass and the desert adjoining were made at this time, but the difficulties and dangers of the route in any except the cooler weather of the winter months and when timely rains produced grass and water, were too great to permit its becoming popular.*

30. J. Smeaton Chase, in his volume, *Desert Trails*, gives a vivid description of this stretch of the desert.

*Benjamin Hayes, who crossed the desert and reached Warner's Ranch by the Carrizo Creek route, wrote in his diary, January 17, 1850, "Warner says, there is another road across the Desert, going up close to the mountains on the eastern side—the same by which the Mexican General, Jose Maria Flores, retreated out of California in the year 1847; it is easier of ascent, but has not as much water on the sandy part, as has the one we came by." Flores had special reasons for choosing a road on which he would be unlikely to meet any one. He had just been in conflict with Kearny and his American dragoons, recently arrived over the regular Emigrant Road, and Cooke's Mormon Battalion was known to be coming over the same route. John McCain, a well known stage driver on the old Butterfield Route, and now (1926) residing at Julian, San Diego county, is authority for the statement that cattle rustlers and smugglers operating between California and Mexico made use of the old Anza trail through Borego Valley, and also traveled the route through San Gorgonio Pass. They knew that they would be secure against encountering travelers on these routes. Even so great an organization as the Southern Pacific Railroad has been unable to develop usable water along their road across the desert, and today the Company hauls all water that is used at its desert stations in tank cars from Indio, as the water along the line, even from deep wells, has so high a mineral content that it is unfit for locomotive boilers or for drinking.

Americans did not adopt the San Gorgonio route quickly. Mr. C. J. Coutts, of Vista, San Diego County, has the diary kept, in 1848, by his father, Cave Johnson Coutts, when a lieutenant of the 1st Dragoons, United States Army, describing a journey made by his company from Coahuila, Mexico, to Los Angeles. The diary is illustrated by carefully drawn pen and ink maps of the route followed. From the Colorado River to Los Angeles, the line of march was along the route afterwards adopted by the Butterfield stages, and the maps show no road leading to the San Gorgonio Pass. Also, the first official map of the State of California, authorized by the Legislature of 1853 and printed a year later, shows the Old Emigrant Road with the desert watering places along it, but gives no suggestion of any road from Fort Yuma to San Gorgonio.³¹

The history of the selection of a route into California for the Butterfield Overland Mail Line adds force to our argument. On March 3, 1857, the day before the Pierce administration ended, Congress passed an act authorizing the establishment of an overland mail line. On July 2, the Postmaster General advertised for bids and definitely outlined the route as far west as Fort Yuma. From there he contented himself with specifying "thence through the best passes and along the best valleys for safe and expeditious staging, to San Francisco." The contract was let to the Butterfield Company September 15, 1857.³²

Then began the struggles of Los Angeles, San Bernardino and San Diego for a place on the mail line. At the outset, it was assumed in Washington that the stages would pass through San Bernardino. The Washington correspondent of the Philadelphia *North American* published a table of distances based on "the best information in possession of the Government," ending with "Fort Yuma to San Bernardino, 180 miles, San Bernardino to San Francisco, via Cajon Pass, Cañada de las Uvas, etc., 420 miles."³³ This route, it will be noted, would have omitted Los Angeles, but would have taken stages through the San Joaquin Valley.

31. A copy of this map was found in the San Bernardino County Recorder's Office.

32. Root and Connolly, *The Overland Stage to California*, Chapter 1.

33. Quoted in *San Diego Herald*, August 29, 1857.

San Diego pressed her claim for the mail line on the ground that she possessed the shortest practicable route from Fort Yuma to the sea, whence mail could be dispatched to San Francisco by steamers, and in October, 1857, James E. Birch, President of the California Stage Company, established a stage service between San Diego and San Antonio, Texas, as a personal venture,³⁴ hoping, no doubt, that the Butterfield Company would adopt his route and make use of his stages in their general contract. This was before the Butterfield Company had much more than begun to prepare for their great undertaking.

At about this time, San Bernardino County elected to the State Assembly, Isaac W. Smith, a resident since the year 1853 of the San Gorgonio Pass. He was one of the best informed men on desert conditions in the country,³⁵ and had accompanied the expedition through the Pass upon which Blake made the report. Smith was keenly alive to the benefits that would accrue to San Bernardino if the Butterfield stages should run through San Gorgonio, and he worked earnestly to secure action by the Legislature that would place the mail line where he and his constituents wished it.

The San Diego *Herald*, January 2, 1858, said:

"We are all expecting the arrival of the agents of the great Semi-weekly Overland Mail to examine the feasibility of making San Diego the western terminus of their line The people of Los Angeles and San Bernardino are so alive to the importance of this that they are now actually laying out a new road entirely across the desert."

This "new road," the rumors of which had evidently excited San Diego, is described by Mr. Silas C. Cox as running from Dos Palmas along the base of the mountains to near the present Niland Station, and thence approximately along the line of the Southern Pacific railroad to Yuma. Mr. Cox made a horseback trip over this route in the fall of 1858, and remembers that a wagon road had been "broke through" then, although there were but few indications of travel remaining. It was his understanding that the wagon tracks had been left by immigrants. It is more probable that they were left either by Colonel Washington and other Government surveyors who were engaged in run-

34. Farish, T. E., *History of Arizona*, Vol. 2, p. 1.

35. *Pacific Railway Reports*, Vol. V. p. 7, Lieut. R. S. Williamson's Report, under heading "Organization of Party," says:

"The party which embarked with me consisted of Lieutenant J. G. Parke, topographical engineer Mr. Isaac Williams Smith, civil engineer etc."

Elsewhere Lieut. Williamson writes, "Mr. Smith proved himself a very competent civil engineer."

ning the San Bernardino base and meridian lines and laying off townships on the desert in 1855-56-57,³⁶ or by the Butterfield explorers or San Bernardino prospectors for water during the spring and summer of 1858. Mr. Cox states that there was a slightly traveled road at that time on the west side of Salton Sink.

On January 20, 1858, the move San Diego had feared was made, and a resolution introduced by an assemblyman from Los Angeles was adopted by the Legislature urging Congress to establish "a weekly mail route from the City of San Bernardino, via San Gorgonio Pass and Couhilla Valley to Fort Yuma." The "Couhilla Valley" was not the well known mountain valley south of Mt. San Jacinto that bears the name "Cahuilla Valley" today, but included the present Coachella and Cabazon Valleys, at that time inhabited by Cahuilla Indians and cultivated by them to a limited extent.³⁷ In the same session, Dr. Isaac W. Smith, of San Gorgonio, introduced a bill appropriating money "for obtaining water on the Colorado Desert," to be used presumably on the new route then being urged by the Los Angeles and San Bernardino interests. There is some reason for believing that the route was outlined largely by Dr. Smith, as it was sometimes called "The Smith Survey." The bill failed of passage,³⁸ but two years later a similar bill was more successful.

A San Bernardino correspondent of the *San Francisco Call* wrote, February 16, 1858:

"On Saturday last we had an arrival from the vanguard of the overland stage line. Two pioneer wagons belonging to the great Butterfield Stage Company came here from San Francisco, by way of Tulare Valley, east of the Coast range, through the Cajon Pass . . . they pushed on toward Fort Yuma."

On March 11, the *Call* announced the arrival of these explorers at Fort Yuma, stating that the distance from San Francisco to Yuma had been found to be seven hundred miles—measured by odometer. This was one hundred miles more than had been expected, but it proves that they went via San Gorgonio Pass, since the distance by Warner's would have been much greater.

In June, representatives of the mail company arrived at Los Angeles to arrange for stations between San Ber-

36. The *San Diego Herald*, May 19, 1855, mentions Dr. R. C. Mathewson, and June 16, 1855, C. H. Poole, as surveying U. S. Lands on the Colorado Desert. On July 28, 1855, this paper says: "Col. Washington extending Base Line east from Mt. San Bernardino, has completed 86 miles of the survey." See also Note 51.

37. See excerpt from *Los Angeles News*, July 9, 1862.

38. *Sacramento Daily Union*, April 12, 1858.

nardino and Fort Yuma;³⁹ and early in July, the superintendent of the division reached Los Angeles from San Francisco and informed the *Star*:

"From Fort Tejon to Los Angeles there will be four stations and from Los Angeles to San Bernardino there will be three stations."⁴⁰

Clearly influences had been at work, Los Angeles had found "a place in the sun," and San Diego had lost out. San Bernardino appeared to be secure. Soon after, however, the San Diego *Herald*, July 24, 1858, said editorially:

"The impracticability of the San Bernardino route amounts almost to a demonstration. It is a continuous desert for 200 miles . . . the sand deep and very heavy . . . much of the way lying along the south side of a mountain chain that makes it unendurably hot . . . with no grass and very little water . . . in fact in one place a distance of 60 miles over the sandiest portion of the road, without a drop of water."

This pessimistic statement was not wholly warranted, since more than half the route, a few years later, was adopted into the Bradshaw Road, an important freight and stage route well supplied with water and not especially sandy. The statement was correct in its characterization of the portion of the desert between Frink's Spring and Fort Yuma, a distance, on modern road maps, of eighty-nine miles.⁴¹

On August 27, 1858, the San Francisco *Call* quoted Colonel J. J. Warner as saying, in his Los Angeles paper *The Southern Vineyard*:

"The contractors of the Southern Mail Route have abandoned the San Geronio route, in consequence of inability to procure water, and intend proceeding via Warner's ranch. The San Bernardinians, on learning that the prospecting parties had failed to procure water, raised \$2000 and dispatched a party headed by Mr. J. Mitchell, to make further search."

San Bernardino then, as well as San Diego, had failed to secure the stage line, and Los Angeles was the victor. On September 15, 1858, the Butterfield Company began running mail stages by Warner's ranch, and continued until the beginning of the Civil War, when their Government mail contract was annulled.

Although disappointed in its efforts to secure the mail line, San Bernardino never gave up hope. So long as the Butterfield stages ran, she dreamed of securing them either by diverting them from the Old Emigrant Road through Warner's to a line following the course of the present paved road from the Imperial Valley to San Geronio Pass, or by

39. San Francisco *Call*, June 27, 1858.

40. Excerpt in San Francisco *Call*, July 13, 1858.

41. U. S. Geological Survey, *Water-Supply Paper* 480-A.

solving the water problem that had made impossible the direct route from San Geronio to Yuma, on the east side of the Salton Sea. In the Los Angeles *Star* for January 29, 1859, a San Bernardino correspondent reported:

"Effort is being again made to induce the mail company to run their stages by way of San Bernardino rather than by the roundabout line now in use. Contractors expended \$6000 on present road. If citizens deposit that amount with the company, the change can be effected."

According to the watchful San Diego *Herald*, a bill appropriating \$5000 for securing water on the Colorado desert had been passed by the Legislature shortly before, but apparently it was not approved by the Governor, for no such act appears in the statutes of that year. In 1860, however, a bill similar to the one proposed two years before by Dr. Smith became a law, and the board of supervisors of San Bernardino County were made agents of the State to carry out its provisions. A contract was let for "digging three wells on the Colorado Desert, on the road leading from San Geronio Pass to Fort Yuma (by way of Smith's Survey)." Two of the wells were accepted and paid for by the supervisors on December 22, 1860.⁴² Mr. S. C. Cox states that these wells were dug on the road running from Dos Palmas to Yuma. He was intimately acquainted with the contractor who sunk them, and remembers that the contractor told him that no water was struck in either of them. Mr. Cox locates the first well not far from the present Niland station. From newspaper accounts of the time, we learn that the second well was about forty-two miles from Fort Yuma. The third well, which was never sunk, was to have been located about fifteen miles west of Yuma.⁴³

For a brief time, in 1866-67, Banning & Company, of Los Angeles, endeavored to use the direct route to Yuma that the Government surveyors and the Butterfield explorers had traveled eight or ten years before, but they were forced to abandon it. The end of this last effort to run by a direct line from San Geronio to Yuma is noted in the

42. Minutes, Board of Supervisors, San Bernardino County, May 28, 1860, and June 27, 1860; also San Bernardino Co. Recorder's Office, Miscellaneous Records, Book A, p. 33.

43. *Los Angeles Star*, December 29, 1860.

"SEMI-WEEKLY SOUTHERN NEWS, LOS ANGELES, December 28, 1860. Correspondence from San Bernardino: 'Two of the Board of Supervisors have been out, and accepted two of the wells and paid over the money . . . another large spring was found twelve miles from the second well and within thirty miles of Fort Yuma. The other well will be sunk as near midway on the thirty mile desert as circumstances will admit of. The road is represented to be far preferable to the old one, and from thirty to forty miles nearer from this place to Fort Yuma.'"

two following items in the San Bernardino *Guardian* of March 18, 1867:

"Terrible Suffering—About the 21st ult. Pat Murray, driver on the new route between here and Fort Yuma, left the place with one passenger and the quartermaster's mail. He lost the road, the station camp having been removed, and wandered about three days without water—horses turned loose finally came to Frink's spring."

"Hauled Off—We understand that the stock of Banning & Co. have been removed from the newly laid out road to Fort Yuma, branching from Dos Palmas, on the line to La Paz. It is unnecessary to say that the road was utterly impracticable, a desert country of nearly a hundred miles rendering it impossible for stock to travel, with sand up to the hubs. The military express will still be forwarded to La Paz and Fort Yuma."

This history we have been citing leads to certain conclusions: 1st, that, because of the difficulties encountered on the desert to the east of it, travelers in the early days did not use the San Gorgonio Pass as a route through the mountains, although engineers later found it to be the most desirable way into California for a railroad; 2nd, that the San Bernardino-Sonora Road led to the summit of the Pass and then turned off at a veritable right angle toward the San Jacinto Valley; 3rd, that the real mountain crossing—the crossing characterized by Lieutenant Emory as "the great pass to Sonora" and by Lieutenant Colonel Cooke as "the only pass leading to Sonora"⁴⁴—was the Warner Pass, notwithstanding the fact that it was more than one thousand feet higher than San Gorgonio.

These conclusions enable us to reconcile the apparent discrepancies in the statements concerning travel by way of San Gorgonio Pass that were referred to earlier in this chapter. All confusion disappears when we remember that this so-called "San Gorgonio Pass travel" probably went by the San Bernardino-Sonora Road, which touched San Gorgonio, the settlement, and then turned to the south. For example, in the matter of the Sonoran miners, a deposition by Jeremiah Hill⁴⁵ shows that a party of fourteen Americans and another party of one hundred and fifty Mexicans crossed the desert together in April, 1850, by the Old Emigrant Road; and a diary kept by A. B. Clarke,⁴⁶ in 1849, describes a trip across the desert in June of that year by two parties of Americans and a party of Mexicans, all of whom went by the Old Emigrant Road and not by San Gorgonio Pass. And yet these Mexican parties were a part

44. Official Report of Lieut. Col. P. St. George Cooke, *House Executive Documents*, 30th Cong., 1st Sess., Doc. 41.

45. Historical Society of Southern California, *Annual Publications* 1903, Vol. VI, Part I, p. 62.

46. Clarke, A. B., *Travels in Mexico and California*.

of the great Sonoran Migration that Guinn routed through San Gorgonio. It is very probable that, after reaching Warner's Pass, the Sonorans followed the road that led through the San Bernardino Valley instead of going through Temecula, and thus established the contact with San Gorgonio which Guinn mentions, the name San Gorgonio referring, in reality, however, to the settlement and not to the Pass. In this paper, the Pass is considered to be the opening in the mountains east of the old San Gorgonio settlement.

As for the ill-fated Crabb Expedition, since young Evans, the sole survivor, states that the party spent a week at Warner's before starting across the desert to Fort Yuma,⁴⁷ is it not entirely probable that the Crabb party, after leaving El Monte, also touched the San Gorgonio Pass, if at all, while traveling via the San Bernardino-Sonora Road?

The San Gorgonio Pass Comes Into Its Own— The Bradshaw Road

We have already shown that although San Gorgonio Pass and the desert adjacent had been traversed by Government engineers seeking a line to the Pacific for a railroad as early as 1853, and by Colonel Washington and his surveyors running the base line from Mt. San Bernardino in 1855, and that although a few adventurous travelers had followed in the wake of these explorers, the Pass had seen no general travel prior to 1862. In that year, however, a discovery was made on the lower Colorado River that brought San Gorgonio speedily into prominence. Captain Pauline Weaver, the noted frontiersman who, in 1846-47, had been one of the guides for Colonel Cooke and the Mormon Battalion from Santa Fe to California, was trapping and prospecting along the Colorado with a party in the month of January, 1862, when they discovered gold in a gulch about seven miles east of La Paz, a town approximately seventy miles north of Fort Yuma. Weaver visited Fort Yuma shortly after and exhibited gold that he had collected.⁴⁸ The news of the great find spread immediately to Sonora and to California, and that a typical gold rush was under way in a very short time is evidenced by the Los Angeles papers of the day. A practicable road to the new diggings became an immediate desideratum.

47. *House Executive Documents*, 35th Cong., 1st Sess., Doc. 64.

48. Browne, J. Ross, *Resources of the Pacific Slope*, p. 454.

There was already a road from San Bernardino through Cajon Pass to Fort Mojave, and from there it was possible to travel down along the river to the mines; but the *Los Angeles Star*, on May 31, announced:

"Parties who have left town for the Colorado placers, intending to take a cut-off by way of San Gorgonio Pass, thence on a straight line to the new diggings, have sent word that the new road is in first rate condition and perfectly practicable."

This reference to the "new road" was to the so-called Bradshaw Road. W. D. Bradshaw, a man already prominent in Southern California,⁴⁹ was one of the first to make the trip from Los Angeles to the new gold fields. Guided only by a map drawn for him by a Maricopa Indian who, with Chief Cabazon, of the Cahuillas, had visited the mines previously, he made his way from San Gorgonio Pass to the river, and the route he followed became the road bearing his name.⁵⁰

Although this road was hardly a part of the Southern Overland Route as we are accustomed to think of it, it calls for mention in this paper since it led to the diversion of travel from the Warner's Pass route to the route now followed by the paved highway through San Gorgonio.

Excitement in Los Angeles over the gold placers on the Colorado was intense. The *Star* for June 7 devoted its news columns to rumors and reports concerning the new diggings. The next issue, June 14, contained an advertisement by Messrs. Warringer and Bradshaw to the effect that a boat would be running on the river at Providence Point by June 16, and that a large ferry would be put on as soon as possible, evidently for the accomodation of persons traveling via San Gorgonio and the Bradshaw Road.

On June 12, 1862, the *Star* printed in its San Bernardino correspondence a letter from "Chucuwalla Camp" that indicated the beginning of freighting from San Bernardino* to the mines by way of the San Gorgonio Pass. The letter, dated June 26, mentioned Charley Cunningham as having ten thousand pounds of freight at Chucuwalla, and referred to [W. W.] McCoy and one other person from San Bernardino who were there. An item of July 19, stated that about one hundred and fifty Americans, five hundred Sonorans, and two thousand Indians were at work at the

49. See Major Horace Bell, *Reminiscences of a Ranger*, page 303.

50. *Los Angeles Star*, June 14, 1862. (Interview with W. D. Bradshaw.)

*George Miller and S. C. Cox have supplied names of 43 desert freighters from San Bernardino.

mines. It contained a favorable reference to the Bradshaw Road.

On July 9, 1862, the Los Angeles *News* said:

"We have had the pleasure of meeting Mr. J. H. Riley, the traveling correspondent of the *Alta Californian*, who has returned from his trip toward the Colorado by the route designated by Mr. W. D. Bradshaw Mr. Riley believes that the road via the 'San Gorgonio Pass' past the Cabazon or Cahuilla Valley and 'Brown's Pass' will prove to be the most direct one: In his opinion, however, supported by the evidence of Mr. J. R. Frink, of San Timoteo, the road should continue through 'Brown's Pass' directly over the summit and thence direct to the river, instead of making the detour to the right towards Tabeseca as pursued by Messrs. Bradshaw and Grant."⁵¹

That opinion in San Bernardino as to the merits of this new road was divided is indicated in the *Star's* San Bernardino correspondence of August 12, which contained the statement:

"Quite a number of wagons have gone out by the Mojave route, which is decidedly the best."

Another letter to the *Star*, July 15, commenting on one of the desert tragedies common to those days, said:

"I traveled on the well known road to Fort Mojave. If the parties that were defeated on the Cabazon desert had gone by the Mojave route they would now have been at the mines, and none would have lost their lives."

The reference was to the Charles Yates party of five men and to the Garrett family—father, mother, and five children—all from San Bernardino, who perished on the desert from thirst.

On the other hand, a San Bernardino correspondent of the *Star* gave the information, on August 9, that three teams had lately arrived from the Colorado—apparently by the Bradshaw Road—and that it was intended to load them and send them back. Two other loaded wagons had been sent shortly before. Soon after this, the Bradshaw Road seems to have been accepted generally as the most practicable route to the mines. On August 23, the Los Angeles *Star* contained a statement that Mr. Bradshaw had started the day before for San Bernardino, where he was expecting to meet one hundred and fifty men and conduct them to the river. It also stated that everyone who had

51. Mr. Riley continues as follows:

"According to the statement of Mr. Frink, who freighted for the surveying party under Colonel Washington in 1855-56-57, the road as made by them across the summit and thence to the river, was good for wagons carrying from 1500 to 2500 pounds, and that they had plenty of water at a natural tank twenty miles from the water in the pass, and again eight miles further on at a well 30 feet deep which the surveying party sunk in the bed of Dry Creek, the same which supplies the water holes at Chocowalla."

traveled the Bradshaw Road gave it the preference over any other route.

The *Star* for September 13 contained a table of distances from Los Angeles to the Colorado by the Bradshaw route, with the comment:

"On the diagram accompanying the foregoing table of distances the road from White River to Dos Palmas is marked 'sandy.' At this latter point the Fort Yuma Road comes in."

This mention of the Fort Yuma Road is a reference to the direct route from San Gorgonio Pass to Fort Yuma that the Butterfield Company had investigated and rejected four years before.

In September, the town of La Paz which, up to that time, had known nothing better in the way of transportation than pack trains and freight wagons, was astonished one day to have a veritable "coach and six" come dashing in from Los Angeles. It was the first of a line of stages between Los Angeles and the Colorado River, with an express for the safe transit of gold dust, letters, and so forth. The line had been established by Messrs. Warren Hall and Henry Wilkinson, acting for the Alexander Company of Los Angeles, who, in turn, were the agents in that city for Wells-Fargo. On the return to Los Angeles, the stage carried between five and six thousand dollars in gold.

Hall and Wilkinson were experienced California stage men—Hall having been road agent for the California Division of the San Antonio and San Diego Mail Line of the California Stage Company—but their management of the line to La Paz was destined to endure only a month, for on October 29, the *News* reported the death of both of them in the vicinity of Dr. Isaac W. Smith's ranch near the summit of the Pass—the first station on the stage line beyond San Bernardino. An employee at the station had been under the suspicion of stealing bullion from the stage, and he stabbed Hall and Wilkinson as they were endeavoring to extort an admission of guilt from him. It is but fair to state that he surrendered himself to the authorities in San Bernardino, and after examination, was discharged on his plea of having acted in self-defense.

Nothing further concerning stages through the San Gorgonio Pass appears in the newspapers until February 28, 1863, when the San Bernardino correspondent of the *Star* announced that L. A. Frink & Company, of San Timoteo, were preparing to establish a line of stages be-

tween San Bernardino and La Paz, to connect with stages from Los Angeles and carry both passengers and freight.

In the matter of water, that eternal problem on the desert, the Bradshaw Road, when compared with many other desert roads, was really well supplied. In only one stretch was the distance between natural watering places as great as thirty-five miles, and there were places in that stretch where water could be developed.⁵² A letter from L. A. Frink, written from San Bernardino and printed in the *Star* of September 5, 1863, contained the statement that Frink and James Grant, the latter from San Bernardino, were then leaving La Paz with freight and passengers, and that they were taking men to "open the water" at Chucuwalla so that thereafter there would be an abundant supply at that point.

The placers on the Colorado, which had led to the opening of the Bradshaw Road, were exhausted eventually, but new mining fields in Central Arizona, and the carrying of supplies to various military posts there, made a large amount of freight and express business for the road during the period of the Civil War—a business in which San Bernardino men had a goodly share. The Government's mail contract with the Butterfield Company was annulled in the spring of 1861, and from then until 1865 there was no Government mail route between California and Arizona, mail being carried through the courtesy of the military authorities. In 1864, as the end of the war approached and a territorial government in Arizona was being organized, the road through San Gorgonio Pass began to assume importance as a prospective mail route. The *Los Angeles News*, January 4, 1864, said:

"The present is a favorable time to move in the matter of procuring establishment by Congress of a U. S. Mail route from Los Angeles to La Paz, and thence eastward. A line of stages is already in motion making weekly trips. The route used at present by the Los Angeles and La Paz Stage Co., is that by way of San Bernardino, thence taking the Bradshaw route direct to La Paz. If an eligible route exists between La Paz and the Gila Station on the old Butterfield route, the mail can be continued in almost a direct line to Tucson."

52. Some of the natural watering places were not dependable at all seasons, and it was desirable to insure a permanent supply. The following extract is from the *Star*, July 11, 1863:

"Wells needed on the desert. 1st, between Agua Caliente and Toros, about 25 ft. deep. From Toros to Dos Palmas there is plenty of water. 2nd, Dos Palmas to Chucawalla, 45 miles. No wells now . . . ought to be two—15 miles from Dos Palmas and 15 miles further just this side of the 'Divide'—each 15 ft. deep. 3rd, From Chucawalla is 50 miles. Two wells needed, one about 15 miles from Chucawalla, second about 10 miles farther. Both will have to be deep. 10 miles from last proposed well you strike the Laguna—water brackish . . . thence to river, 10 miles."

The Government did not see fit to act in accordance with this idea but, instead, extended the San Bernardino-La Paz line to Prescott and Santa Fe, thus connecting with the so-called Thirty-fifth Parallel Route instead of with the old Butterfield road along the Gila. On February 28, the Los Angeles *News* announced that the first through mail for Arizona under the new contract had come down by steamer from San Francisco. On March 21, the stages were reported to be operating fairly regularly. The needs of Southern Arizona were met later by awarding a mail contract to Tomlinson & Company, of Los Angeles, who ran stages through San Bernardino, Box Springs and Temecula, and thence to Tucson on the old Butterfield route. This contract went into effect July 1, 1867.

The year 1867 saw considerable activity in the way of improving the Bradshaw Road,⁵³ stimulated doubtless by the resumption of stage travel over Warner's Pass by Tomlinson & Company, and also by Banning & Company who, undaunted by their failure to establish a line to Fort Yuma via the San Geronio Pass, sent stages for a time by way of Warner's. Like the Tomlinson Company, the Banning Company ran through San Bernardino and Box Springs, and entered the old Butterfield road at Temecula. The last advertisement in the *Guardian* of the Tomlinson & Company stages to Fort Yuma appeared February 15, 1868. On the same day, the paper announced:

"The San Diego mail is squelched; the Fort Yuma line is discontinued; the Tucson route is abandoned."

The increasing importance of the Bradshaw Road is indicated in the *Guardian's* announcement of March 14, 1868, to the effect that the old mail route from San Bernardino to Prescott, via the Cajon Pass and Fort Mojave, was to be permanently changed, and that mail would thereafter be carried from San Bernardino to La Paz direct and

53. The following items are from the San Bernardino *Guardian*:

March 30, 1867. "The La Paz Road. The present road runs in an angling, crooked, roundabout course, over deep sands, and entailing forty miles of unnecessary travel. Starting from San Geronio Pass there is a line of natural road leading directly to La Paz along the bench of hard land. With the exception of only six miles it is free from sand, but passing across a wide plain are two deep canyons to be worked estimated cost \$3000."

May 4, 1867. "New Road Messrs. Daley, Smithson and others, returning from La Paz last week They laid out and traveled over a new road from the Two Palms to Martine's [Martinez] ranch six or eight miles saved one new watering place gained one day saved all sand on old road missed Mr. Bradshaw of La Paz (not the man for whom the road was named) is intending to make a new road this month from Chucawalla to the river will save a day's time by avoiding canyons"

May 11, 1867. "We understand Mr. Frink has made a new line of road from La Paz to Dos Palmas, shortening distance and finding excellent roadway. He cut brush for over fourteen miles found two new watering places."

thence to Prescott, via Wickenburg. Mail for Fort Yuma was diverted at La Paz.⁵⁴

During the next few years the mail was carried from San Bernardino to Prescott over the Bradshaw Road, by various contractors and in various types of conveyances—sometimes stages, sometimes buckboards, sometimes in light wagons.⁵⁵ La Paz, however, suffered in 1870, from one of the vagaries of the Colorado River which left it high and dry; and a freight contractor named Goldwater, who had large consignments of Government supplies to transport, laid out the site of a new town, Ehrenberg, on the river about seven miles below La Paz.⁵⁶ A large scow ferry boat capable of carrying two ten-mule teams at once was launched at this new town, and as business and travel were diverted from La Paz, it was soon abandoned.

After the establishment, in 1869, of railroad connection between the Atlantic and the Pacific coasts, overland stage travel declined, and soon the old stage coaches were used merely for local service. Freightage by the San Geronio-Ehrenberg road continued, however, and increased

54. Tables of Distances between Stations or Watering Places.

SAN BERNARDINO TO FORT YUMA. (Appeared frequently in San Bernardino Guardian, 1867-68.)

	Miles
Point of Rocks.....	25
Temecula	30
Negros	8
Cotton Grove.....	3
Oak Grove.....	11
Warner's Ranch.....	16
San Felipe.....	16
Vallecito	20
Carrizo Creek.....	18
Sackett's Well.....	17
Laguna	13
Indian Wells.....	2
New River Station.....	16
Alamos	14
Gardner's Wells.....	8
Cooke's Wells.....	14
Algodones	12
Pilot Knob.....	4
Fort Yuma.....	9½
	256½

SAN BERNARDINO TO LA PAZ. (Prepared by Henry M. Roberts, Major of Engineers, U. S. A., printed in Guardian, March 5, 1870, and in many later issues.)

	Miles
Crossing Santa Ana River.....	4.09
Old San Bernardino.....	1.
Mouth of San Timoteo Canyon..	3.12
Head of San Timoteo Canyon..	12.84
Summit San Gorgonio Pass....	5.16
Noble's Ranch.....	3.32
White River Station.....	14.71
White River Crossing.....	2.98
Agua Caliente Station.....	7.81
Indian Wells.....	13.71
Toros Mail Station.....	13.29
Martinez, Indian Village.....	5.02
Lone Palm.....	12.99
Dos Palmas.....	6.79
Canyon Spring.....	11.
Chucka Walla.....	34.
Laguna	30.
Willow Station.....	7.
Bradshaw's Ferry.....	12.
La Paz.....	5.

205.73

55. The following are gleaned from news items and advertisements in the *Guardian*:

- May 9, 1868, U. S. Mail Line to La Paz, Waters and Noble Proprietors.
 February 25, 1870, J. W. Waters retired from firm and Newton Noble became sole proprietor.
 April 2, 1870, Mail Lettings for Arizona. } James Grant
 Hardyville to Yuma
 San Bernardino to Prescott
 July 9, 1870, Isaac H. Levy, U. S. Mail Line from San Bernardino to Arizona, via Ehrenberg, La Paz, etc.
 August 5, 1871, Arizona Mail and Stage Line only direct stage from San Bernardino to Prescott and Central Arizona points. James Stewart, Superintendent; James Grant, Proprietor.

56. Farish, T. E., *History of Arizona*, Vol. 2, p. 333:

as the country developed, until 1877, when the Southern Pacific railroad was completed from Los Angeles to Yuma, and the freight wagons went into the discard with the stage coaches, and Ehrenberg, like La Paz, became one of the many "ghost cities" of the West.⁵⁷

Summary

The development of travel over the Southern Overland Route between Southern Arizona and Los Angeles may be summarized as follows:

1. The way from Tucson to Yuma was blazed by Father Kino, about the year 1700.

2. A route from Yuma across the desert and through the mountains to San Gabriel was discovered, in 1775, by Captain Anza. This route was abandoned in 1782, but the part leading across the desert was retraveled many years later.

3. The Carrizo Creek-San Felipe route to Warner's Pass was discovered by Lieutenant Colonel Pedro Fages, in 1782; but so far as we know, the route was not used until the coming of the Santa Fe traders, in 1831.

4. In 1832, David E. Jackson, of Santa Fe, traveled from Warner's Pass to the Santa Ana River by way of Temecula Valley, making use probably of some old Indian trail.

5. Between 1832 and 1851, much travel from Sonora came into California by Warner's Pass, Aguanga and the San Jacinto Valley, or, in other words, by the San Bernardino-Sonora Road.

6. In 1853, Lieutenant J. G. Parke's party of Government engineers opened a road from the summit of San Gorgonio Pass to the desert; and crossed the desert west of the Salton Sink to the Old Emigrant Road through Carrizo Creek.

57. Chase, J. Smeaton, *California Desert Trails*, p. 333:

La Paz—"I searched for houses, then for any token showing where houses had stood. There was nothing, not so much as a scrap of foundation, or adobe wall, or of lumber, or even debris. Apart from the monument (cone shaped cement) and a few mud bricks close thereby not a sign remained of the city of La Paz, which forty or fifty years ago was a place of five thousand or more people

p. 335:

Ehrenberg—"Here, however, there was at least a skeleton left—a dozen or so adobe houses, all but one or two wrecked and deserted gaping open to the sky. In the largest habitable building Ehrenberg's one and only citizen solemnly keeps store all by himself. Ehrenberg is probably the only case extant of a town with but a single inhabitant; almost certainly the only instance of such a place keeping a store going. We have read of that doubtful island where the people 'eked out a precarious livelihood by taking in one anothers washing.' Here, though, is an authentic case of a person making a living off himself."

7. By 1858, a limited amount of travel had developed over a line paralleling Lieutenant Parke's route. Prospectors continued its use, but heavy travel over this line, now a part of the Ocean to Ocean Highway, came only with the development of the Imperial Valley as a farming region.

8. The opening of the Bradshaw Road to the Colorado River placers, in 1862, gave the San Geronio Pass an importance that it has never lost.

9. Travel over the Old Emigrant Road by Warner's Pass to the California gold fields was extensive in 1849 and for many years thereafter. For about three years prior to the Civil War, it was traveled by the Butterfield Overland Mail Stages. It also served as a military road during the war, and both the Banning and Tomlinson Companies ran stages over it after the war. With the discontinuance, early in 1868, of the last stage line over Warner's Pass, the Old Emigrant Road sank into disuse.

AN INCIDENT ON THE OLD ROAD¹

BY SILAS C. COX

I was born January 14th, 1843, in Fayette County, Alabama

Uncle Jim Waters, an old pioneer trapper and mountaineer took quite a notion to me, so he would occasionally take me on some of his short trips. I remember my first trip with him. It was early in the winter of 1852-3. He had two men that he hired for the trip and myself, I being then nearly ten years old.

He took about twenty-five head of fat oxen down to the forks of the road near old Camp Cady, on the Mojave river, to trade to the emigrants coming in from Utah, and later on I went with him and three other men down through the Temecula country, then up through the Oak Grove and over to Warner's Ranch, then back through the low range of mountains into the San Jacinto Valley, and from there on over to Beaumont, then known as San Gorgonio, and down the San Timoteo canyon into San Bernardino

Late in the fall of 1859 I hired out to Uncle Jim Waters of Yucaipa to help break a lot of young colts to ride, and to ride the range also. I stayed with him most of my time until the spring of 1860, then I went to Holcomb Valley.

I soon bought an interest in a little placer mine in Big Bear Valley, but only worked there a short time before I sold out my interest. By that time things were getting pretty lively around Holcomb Valley, so I went down to Temecula and bought ten head of burros and started a pack train to Holcomb Valley with Billy Bryant as a partner. I ran the packing business until late in the fall, then father bought out the Elmore brothers' interest in the cattle in the San Timoteo Canyon, and moved them over on the Mojave, on the upper end of what is known now as the old Brown ranch, so he wanted me to go with him to take care of the cattle

During the summer of 1861 father sold the cattle to Uncle Jim Waters, so he hired me to stay with the cattle. .

About the 25th of November, Uncle Jim Waters came out to the ranch with a supply of provisions, and said he

1. Selections from a manuscript sketch by Silas C. Cox, written in February, 1919, annotated by George William Beattie.

had concluded to move the cattle to Yucaipa about the middle of December, so I asked for a couple of weeks off which he granted me, so I could go and get our horses and take them to San Bernardino. I went to the horse ranch, got the horses, and drove them on to Big Bear Valley, as I had two horses there that I had traded for from Charley Lander. I found them the next day in time to drive on over to Deer Creek, and the next day on home .

. . .
I turned the horses loose as I came down on their old range near Harlem Springs. I hadn't much more than got off my horse when father told me he had bad news for me. He said some one had stolen my Chapo horse. He was one of the best saddle horses that I ever put a saddle on. I thought too much of him to keep him on the desert side, so I left him for father to ride.

I asked father if he had any idea who stole him. He said he thought it was a bunch of young men, mostly gamblers, who had been in Holcomb Valley and San Bernardino for some time. I asked him if they were in town. He said "No, that they had disappeared." After he told me their names I knew them all myself. The most of them were Texas boys and some of them were pretty good boys. It was just at the breaking out of the Civil War, and I suppose they wanted to get back home, but I objected to them taking my Chapo along with them.

I told father that I would follow them clear to Texas or have my horse back. I got on my horse and rode out to City Creek bench, now Highland, and drove in a bunch of horses. Some of them belonged to father. I caught two of them, changed my saddle to one of the fresh ones and went back home, put up some dried beef and bread and started out, then about four o'clock in the evening. I rode one horse and led the other. I went out through the San Timoteo Canyon, then over and through San Jacinto Valley, took the old Indian trail that Uncle Jim Waters had taken me over once before. I changed horses twice during the night, and rode hard. I came in to the old Government road about three miles above the old Jake Burgman ranch and about ten miles west of Oak Grove. About nine o'clock the next morning after leaving home, I soon found there had been a lot of horses on the road, and their tracks were very fresh and evidently not far ahead of me, so I rushed on and came in sight of them at the Oak Grove Station. They had stopped there likely to get a little supply of grub.

I never let them see me at all. I circled around to the left through the hills and brush, and rode a little extra hard, in order to get ahead of them. I struck the road again some six miles east of Oak Grove, where there was water and plenty of grass. My horses and I were pretty tired. I found a place hidden from the road, and unsaddled my horse and staked them, or rather tied them to small trees so they could get a good feed of grass and I also took a little lunch myself of my dried beef and bread, the first since leaving home.

I then went to a little rocky and brushy point some seventy-five yards off from the main road, and hid myself until they came along. My object was to see if they had my horse. They soon came in sight. There were eight men and twelve horses. They were riding eight and packing four. I soon saw that my horse was in the bunch with a man riding him that I had known for several years, and had always thought him to be a pretty nice fellow. I did a lot of thinking in mighty short time. I let them pass on, and about two hours later I saddled up again and followed them to their camp.

They camped about three hundred yards from the road on a little creek on the edge of Warner's Ranch. By knowing the country I knew almost where they would camp. It was near sundown when I located their camp. I tied my horses back in the brush and worked myself up through the brush to a hill some six hundred yards from their camp, so as to watch them and see what they did.

They made their camp among the willows so they had to stake and hobble the horses about a hundred yards or so from camp where it was more open and better feed. As soon as dark came, I went back to my horses and moved them back near to the road again. Then I went back toward the camp with the intention of stealing my horse back and let them go. I sneaked up so close to them through the brush and weeds that I could hear pretty much all they said. I heard one of them say, "Well boys, we are out of danger, and all tired out so we can lie down and take a good rest tonight."

Now you have no idea what a relief these words were to me for I expected to have a guard to contend with. After everything got quiet and I saw them roll up in their beds, I felt pretty easy, so I slipped out among the horses to get mine, and all of a sudden the thought struck me to take the whole bunch, so I crawled among the horses and cut the ropes and rope hobbles, took my horse and led

him slowly off. The rest soon began to follow. I got them back to my horses on the road. I lit into the saddle and I tell you I did some travelling that night. Whenever the horse that I was riding began to lag I would throw the lasso on another and change my saddle and light out again.

About ten o'clock next morning I had crossed the San Jacinto Valley and had got up in the Nickashay canyon.² I drove the horses up a side canyon where there was water and some grass. There I took my second meal of my dried beef and bread. I tied one horse to a bush where he could get a little grass and took my saddle blanket for a bed, and my saddle for a pillow, and took a nice little rest and sleep, after being in the saddle about 52 hours.

I stayed there until nearly dark, then I drove them on into San Bernardino. My object in making the night drive into San Bernardino, was to keep my trip a secret, as much as I could. I got in to or near where Meadow Brook Park is now. I took my three horses on home, let the rest go loose. When I got home I turned the two horses loose that I took from home knowing that they would go back to their range, put the stolen one in the barn and went to bed and took a good sleep and rest.

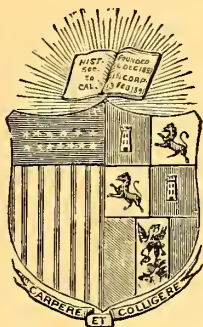
I stayed around for a few days, heard a good deal said about the horses coming home by different ones, but I said nothing. I never told anyone about it for years only father. All he said was that I was very foolish for taking the chances that I did.

2. From the San Jacinto Valley to the Asistencia at Old San Bernardino, Mr. Cox did not follow the route of the old San Bernardino-Sonora road, but instead took a shorter road that ran through the Nechochea and San Timoteo canyons. Nechochea Canyon was the first pass through the hills west of Lamb Canyon. This part of Mr. Cox's route is the road referred to as, "a . . . drive up the San Timoteo Pass (which conducts to San Gorgonio) and over the hills from Weaver's, . . . to the residence of Don Salvador Estudillo," in the Benjamin Hayes MSS. attached to Rose L. Ellerbe's "History of Temescal Valley," Historical Society of Southern California. *Annual Publications*, 1920.

Organized November 1, 1883
PART III

Incorporated February 13, 1891
VOL. XIII

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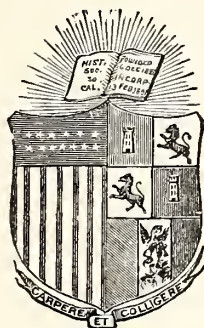
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JEDEDIAH STRONG SMITH—PATHFINDER

By JOHN C. PARISH

The story of Jedediah Strong Smith does not cover a long span of years. He was only 32 when he met his tragic death at the hands of the Comanches; and into less than a decade are packed all the events of his western career. A hundred years have gone by since he crossed the desert and mountains and reached the Pacific Coast in California. Few at the time knew of his achievement and for nearly a century he seemed but a shadowy figure in the history of the west. The modesty of his disposition, the isolated nature of his travels, the absence of strong backing or governmental support, the loss of his papers by fire, all contributed to the haze surrounding the man and his work.

But recent investigations and the publication of contemporaneous documents have largely dissipated the haze, and revealed a man of unusual personality and attainments. This far-wandering man made himself known—often with startling abruptness—to mission fathers and Mexican officials, to factors and traders of the Hudson's Bay Company, to trappers in the mountains, and to Indians in the four corners of the West. And as the evidence accumulates, it becomes clear that the man who thus emerges from the dimness of the twenties was himself a large factor in dispelling the still greater obscurity that hung over the region west of the Rockies.

From the valley of the Great Salt Lake, in the vanguard of American trappers, he ranged north to Clark's Fork of the Columbia, and south to the Colorado. In 1826, first of all Americans, he made his way across the desert and through Cajon Pass to the Pacific Coast in Southern California; and then, not content to retrace his steps, he moved north into the central valley of California and opened another overland route to the Pacific by crossing the rocky barrier of the Sierras and finding his way back to Great Salt Lake. In 1827 he pushed out again to the Coast and was then the first to close by land travel the gap between the far-flung outposts of Mexico in Southern California and Great Britain on the Columbia River. He brought into live contact the farthest frontiers of three nations.

Jedediah Smith was born at Bainbridge, New York, on January 6, 1799.¹ The drift of his family was west-

1. This is not the date usually given but it rests on the evidence of a family Bible, once the property of Jedediah Smith's father, but now belonging to Mrs. C. F. Calhoun, of Los Angeles. In it are recorded the births of Jedediah Smith and his brothers and sisters.

ward to Ohio, and as a boy Jedediah found employment on one of the Great Lakes freighters. It was probably the lure of the western fur trade that brought him in the course of years to St. Louis. Here, in the early twenties, William Ashley was advertising for "enterprising young men" for the Missouri River trade, and expeditions under Andrew Henry and Ashley were setting out for the upper waters of the river.

It is with the Ashley expedition of 1823 that we begin to trace clearly the events in Smith's career. He fought in the disastrous battle in June against the Arikaras, then volunteered to carry word upstream to Andrew Henry. Finding Henry on the Yellowstone, he returned with him to Ashley's camp and was sent from there to St. Louis with the furs Henry had gathered. On August 10, he was back again with Ashley and commanded a company in the Indian battle on that date. These two months of ceaseless activity and wide wandering are typical of the remaining eight years of his life.

The west now claimed him as its own. Seldom, thereafter, did this serious minded young man with his unrelenting energy and his devout religious faith, leave the mountains and valleys so rich in furs and adventure yet so full of hardship and danger. In the winter following the Arikara fight he trapped in the Crow country where he was attacked by a grizzly and almost lost his life. 1824 and 1825 found him traversing South Pass and pushing so far north that he met trappers of the Hudson's Bay Company.

His most memorable travels began in 1826. In that year the firm of Smith, Jackson and Sublette took over the business of General Ashley, and almost immediately Smith set out on a journey south and west of Great Salt Lake. The land was without trails or trappers. He came upon the Colorado River, followed it for several days and then struck west across the desert. Finally, on November 27, 1826, he arrived at the mission of San Gabriel, much to the astonishment of the good Franciscan fathers.

Soon he found it necessary to go to San Diego to explain his presence to Governor Echeandía. Americans had invaded California by land. Mariners from the States were already there but the Mexicans found it one thing to receive Americans by the open door of the sea and quite another to have them slip through the mountains in the rear. Echeandía was alarmed though probably he had little idea of the real thing that had happened. He gave Smith instructions to go out of the land by the way he had come. Smith,

however, crossed the Tehachapi Range and moved northward, trapping as he went. At length, in May, 1827, leaving most of his men in the valley, he succeeded in crossing the Sierras with two companions, and after 20 days in the Great Basin reached Great Salt Lake.

Within a month he was on his way west again over his original trail with 19 men to rejoin the party he had left in California. This time disaster dogged his footsteps. At the Colorado River crossing the Mojave Indians killed half of his party, and when he reached California the Mexican officials were more hostile than ever. Undaunted, he gathered up his companions of the preceding year and continued northward finally coming out on the coast near the mouth of the Klamath River. Following the shore on into Oregon he met his crowning disaster. At the Umpqua River, Indians fell upon his party and Smith and two others were the only survivors.

After weeks of privation they reached Fort Vancouver on the Columbia, where Doctor John McLoughlin, the Hudson's Bay factor, treated them with the utmost kindness and kept them for the winter. Moving up the Columbia in the spring of 1829, Smith at length rejoined his partners, Jackson and Sublette, in the upper Snake country, and persuaded them to leave the trade beyond the South Pass thereafter to his benefactor and the British traders.

His great work as an explorer was done. Others could now travel the routes he had discovered. He continued his trading east of the mountains until the fall of 1830 when, returning to St. Louis with a wagon train of furs from the Rockies, he and his partners said farewell to the old trade. In 1831, they started on the fateful trip along the Santa Fé Trail, where, in the dry course of the Cimarron River, Smith lost his life to the Comanches.

Death had walked beside him for eight years, and time and again had reached out and then withdrawn its hand. But his life had been spared until his great work was done. His own journals were apparently lost; his maps—so much used in his day—have not been found; he lived to write no memoirs. Yet the evidence is abundant to show that, as much as Lewis and Clark before him, and certainly more than any man who followed him, Jedediah Smith deserves the title of Pathfinder.

A BIBLIOGRAPHY OF SOURCES RELATING TO JEDEDIAH STRONG SMITH

PREFACE

The bibliography which follows began with a considerable list of sources relating to Jedediah Smith which I prepared while a student at the University of California. This original bibliography gave specific page references but was without descriptive comment. Learning that Professor John C. Parish was looking for material on Smith for the annual publication of the Historical Society of Southern California, I turned over the list to him for use in that undertaking. Being out of the State at that time I was unable to prepare the work for publication.

Under his supervision the work was somewhat enlarged. New items were added from a bibliography prepared under the supervision of Miss Charlotte M. Brown of the University of Southern California. Miss Laura Cooley of the Los Angeles Public Library was also helpful in the discovery of new sources and in the checking of materials. Miss Edith Burns, while a student at the University of California at Los Angeles, checked all items which were available at Los Angeles, added new references, and prepared most of the comments.

I have since found it possible to recheck the items not found in Los Angeles but available in the Bancroft Library, and to make further additions. In some cases, where source material was not examined by any of the above persons, as in the case of the manuscripts at the Kansas State Historical Society, reliance has been placed upon Dale's excellent bibliography of materials on Ashley and Smith in his volume on *The Ashley-Smith Explorations and the Discovery of a Central Route to the Pacific, 1822-1829*.

The bibliography is by no means exhaustive but it is hoped that the fact that it is more extensive than any yet published on Smith, and the presence of page references and descriptive comments, will make it useful to anyone wishing to carry on either a wide or an intensive study of the much neglected pathfinder.

The compiler is under deep obligation to the editor, Dr. John C. Parish, with whom he has advised at all times and who has guided the bibliography through the various stages of publication.

A. P. NASATIR.

MANUSCRIPT SOURCES

Archives of California

(Manuscripts in Bancroft Library, University of California, Berkeley).

Departmental Records

Volume V. Letters:

Echeandía to Comandante de San Francisco. Monterey, May 18, 1827.

Orders Martinez not to rely on reports of Indians; dispatch scouts to ascertain identity of strangers and their business; demand their passports and detain them until further orders (p. 45).

Echeandía to Rocka. Monterey, May 18, 1827.

Institute proceedings against Juan Wilson, and take deposition of Daniel Ferguson in order to find out aims of strangers (p. 45).

Echeandía to Matinez. Monterey, May 23, 1827.

Smith's actions suspicious, must leave at once, come to San José and enjoy California hospitality under surveillance until Government decides concerning his case, or sail on first vessel that will carry him beyond latitude 42 degrees (p. 48).

Echeandía to Comandante de San Francisco. Monterey, August 3, 1827.

Thinks Americans have continued their journey beyond San José, but if they have not, they are to be brought to San José, where they are to be stripped of their arms and kept near the mission until further orders. If they have gone, ascertain in which direction (p. 73).

Echeandía to Comandantes de San Diego, Santa Barbara y San Francisco. Monterey, September 14, 1827.

Orders comandantes to carefully search Smith party and detain them wherever they are found (p. 88).

Echeandía to Arguello. Monterey, September 14, 1827.

Received Gil Breth's (Galbraith) declaration, which he will remit to Santa Barbara. Question "sick man" with able interpreter—if possible send him to San Diego. On same date orders Comandantes of Santa Barbara and San Diego to detain him until further orders (p. 89).

Echeandía to Comandante de San Francisco. Monterey, October 1, 1827.

Has received attestations relating to Smith and is remitting them. Sends a party to San Francisco, bringing the 12 Americans, who they say are on the other side of the river (p. 94).

Idem to Idem. Monterey, October 16, 1827.

Order permitting the American to seek his companions and bring them to San José. They are to be well treated; must deposit their arms in safety in order not to cause trouble (p. 102).

Idem to Idem. Monterey, November 15, 1827.

Grants American party (Smith) an escort of 10 men to go only as far as a point a little beyond Mission San Francisco Solano. Americans are traveling north. Smith's hides and other things kept "en depósito," to be returned (p. 107).

Idem to Idem. Monterey, November 28, 1827.

Orders Comandante to attempt to combine expedition against "Gentiles de Santa Clara" with the escort accorded Smith (p. 115).

Idem to Idem. Monterey, December 1, 1827.

If Smith agrees, will allow Brest (Galbraith) to remain in California on condition that he (Brest) goes to Monterey or San Gabriel (p. 115).

Volume VI, 178.

Echeandía [?] to Comandante de San Francisco. February 1, 1828.

Abuses committed by Smith.

Volume VII.

Echeandía to Ministro de Relaciones. San Diego, June 25, 1829.

Concerns rumors that United States will take San Francisco, caused by Smith's return to California (p. 25).

Echeandía to Comandante de Monterey. May 6, 1829.

Cooper, bondsman for Smith, ordered to pay \$176 due government by Smith (p. 148).

Departmental State Papers

Volume II. Letters:

J. S. Smith to Duran, May 19, 1827.

Motives for his arrival (pp. 17-19). Printed in Randolph's Oration, Frignet, Cronise, Dale, Guinn, Thompson and West's *History of Nevada*, etc. See below for references.

Wm. G. Dana, Wm. H. Cunningham, Wm. Henderson, Diego Scott, Thomas M. Robbins, Thomas Shaw. San Diego, December 20, 1826.

Attestation as to Smith's character and good faith, and motives concerning his arrival in California (pp. 19-21). Printed in Dale, Cronise, Guinn, Thompson and West's *History of Nevada*. See below for references.

Arguello to Comandante accidental (sic) del presidio de San Diego. San Gabriel, February 30 (sic), 1827.

Reports Smith's arrival in California; information concerning Smith and his companions; where they could be found; report of Smith's guides, route (pp. 33-34).

Arguello to Echeandía. San Gabriel, February 8, 1827.

A companion of Smith presented himself for investigation. Couldn't get information from him, as he didn't understand Spanish. Wrote to Alcalde of Los Angeles to send a good interpreter (p. 34).

Idem to Idem. Same date.

Investigation concerning Captain Smith and his companions (pp. 35-37).

Galbraith, T., to [?]. October 8, 1827.

Asks permission to remain or rejoin Smith, about whom information is given (pp. 39-40).

Arguello to Echeandía. San Francisco, November 18, 1827.

Arrival of frigate "Franklin" with Smith aboard (p. 45).

Volume XIX (Naturalization), pp. 16-17.

March 27, 1829, Angeles (Los Angeles), before Guillermo Cota.

Galbraith under oath declares he was "Americano, protestante, soltero, y de 34 [?] anos de edad."

State Papers, Sacramento

Volume XIX, pp. 37-38.

Echeandía to Minister of War [?]. San Diego, December 30, 1826.

Reports interrogation of Smith by Echeandía, states that he is enclosing Smith's diary and itinerary.

Archivo del Archobispado de San Francisco

(Manuscripts in Bancroft Library, University of California, Berkeley.)

Volume V, Part 1.

Duran to Comandante Ygnacio Martinez. San José, May 16, 1827.

Neophytes induced to run away by Americans (pp. 27-28).

Martinez to Echeandía. San José, May 21, 1827 (two letters).

Americans had nothing to do with flight of neophytes. Smith's letter to Duran received and translated. Wilson a prisoner at Monterey, etc. (pp. 28-33).

Ashley, W. H.

Letters and Business Accounts. (Manuscripts in Missouri Historical Society, St. Louis.)

Ashley, W. H.

Letter to General Henry Atkinson. St. Louis, December 1, 1825. (Manuscript in Missouri Historical Society, St. Louis.) Printed in Dale, H. C., *Ashley-Smith Explorations* (Cleveland, 1918), 117-161.

Deals for the most part with the expedition of Ashley down the Green River in 1825, but recounts the union with Smith at the rendezvous and describes the wanderings of

Smith in 1824 and 1825 down the Snake River, and north to Clark's fork of the Columbia.

Ashley, W. H.

Letter to Thomas Hart Benton. December 28, 1828. (Manuscript in Missouri Historical Society, St. Louis.)

Bojorges, J.

Recuerdos sobre la historia de California. (Manuscripts in Bancroft Library. University of California, Berkeley), 12-14.

Reference to a campaign on the Stanislaus against the Indians. Meeting a party of Americans (presumably Smith's party).

A Brief Sketch of Accidents, Misfortunes and Depredations, committed by Indians on the firm of Smith, Jackson and Sublette, Indian Traders on the east and west side of the Rocky Mountains, since July 1, 1826, to the present, 1829. (Manuscript in Kansas State Historical Society, Topeka.)

Ebberts, G. W.

Trappers' Life, 1829-39. (Manuscript in Bancroft Library, University of California Berkeley), 1-11.

Ebberts was a member of the Rocky Mountain Fur Company, and gives reminiscences of Smith, including an account of Smith's struggle with the bear. Memory not always accurate.

Evans, E.

History of Oregon. (Manuscript in Bancroft Library, University of California, Berkeley), 197-201.

Much of the above manuscript is embodied in a composite work entitled *History of the Pacific Northwest, Oregon and Washington*. (Portland, Oregon, 1889.)

Hood, W.

Original Draft of a Practicable Route for Wheeled Vehicles across the Mountains. Written at Independence, August 12, 1839. (Manuscript in Missouri Historical Society, St. Louis.)

Kearney, S. W.

Journals, 1820, 1824, 1825. (Manuscripts in Missouri Historical Society, St. Louis.)

Kennerly, J.

Diary, 1824-25. (Manuscripts in Missouri Historical Society, St. Louis.)

McLoughlin, J.

Private Papers. (Manuscripts in Bancroft Library, University of California, Berkeley), second series, 1.

Account by Dr. John McLoughlin of coming of Smith into Snake River country in 1824-5 and into California in 1826.

Martinez, I.

(Letter to Echeandía, May 21, 1827, in regard to Smith's party.)

See under Archivo de Arzobispado de San Francisco.

Rogers, H. C.

Journals of Harrison C. Rogers. (Manuscripts in Missouri Historical Society, St. Louis.) Printed in Dale, H. C., *Ashley-Smith Explorations*, Cleveland, 1918. The most detailed source of information upon Smith's trips. He records events for portions of both expeditions, but was killed in the massacre at the Umpqua.

Smith, A.

Copy of a letter from Austin Smith to his brother, Walnut Creek on the Arkansas River, September 24, 1831, reporting the death of Jedediah S. Smith. (Manuscript in archives in City of Mexico, Secretaria de Relaciones Exteriores, serie segundo, caja 1830-1834.)

Cited in Bolton, H. E., *Guide to the Archives of Mexico*, 260.

Smith, J. S.

Letter to William Clark, Little Lake of Bear River, July 17, 1827. (Manuscript in Superintendent of Indian Affairs, Letter Book, 1830-1832, in Kansas State Historical Society, Topeka.)

Printed in various publications, the most available being:

Dale, H. C., *Ashley-Smith Explorations*, 186-193, and Historical Society of Southern California, *Annual Publications*, (1912-1913), IX, 200-203.

An important source, since it embodies Smith's own report to General Clark of his first expedition to California.

Smith, J. S.

Smith Manuscripts. (Manuscripts in the Kansas State Historical Society, Topeka.)

This important collection contains letters of Jedediah Smith and of his brothers Austin and Peter Smith. Among others are the following:

Jedediah S. Smith to his younger brother Ralph, December 24, 1829, and September 10, 1830; Austin Smith to Jedediah Smith (father of J. S. Smith), Walnut Creek, 300 miles from the settlements of Missouri, September 24, 1831, announcing the death of J. S. Smith.

Copies of the two letters to Ralph Smith may be found in the manuscripts of the Missouri Historical Society, St. Louis.

Portion of these letters are printed in Dale, H. C., *Ashley-Smith Explorations*, 180, 300-303.

Smith, J. S.

Record of births in family Bible belonging to Mrs. C. F. Calhoun, Los Angeles, California.

St. Louis Missouri Fur Company

Records. (Manuscripts in Kansas State Historical Society, Topeka.)

Sublette, William, Milton, and Andrew

Sublette Papers. (Manuscripts in Missouri Historical Society, St. Louis.)

This collection includes much of the correspondence of the firm of Smith, Jackson and Sublette, and papers covering the administration of Smith's estate.

Superintendent of Indian Affairs

Letter Book, 1830-32. (Manuscript in Kansas State Historical Society, Topeka.)

Vallejo, M. G.

Documentos para la historia de California. (Manuscripts in Bancroft Library, University of California, Berkeley), Volume XXIX.

Bond signed for Smith by J. B. R. Cooper, November

12, 1826. Characterization of Smith; motives for his coming; provisions for his return. Acknowledgment of the bond by Smith under his own signature (p. 171). [This is not the same document as the one printed in Dale, 235.]

Passport granted to Smith by Echeandía on basis of Cooper's recommendation (p. 173).

Letter, J. Lenox Kennedy (United States consul at Port of Mazatlan), June 26, 1828, thanking Cooper for services on Smith's behalf (p. 250).

Vasquez, Louis and Benito

Vasquez Papers. (Manuscripts in Missouri Historical Society, St. Louis.)

Vasquez was an employee of Ashley and, later, of Smith, Jackson and Sublette. Became a member of Rocky Mountain Fur Company.

Waldo, W.

Biographical Sketches of various explorers, fur traders, trappers and hunters . . . by William Waldo, Esq. (Manuscript in Missouri Historical Society, St. Louis.)

William Waldo's uncle, David Waldo, was an associate of Jedediah Smith. Pages 4-6 of the account tell of the Arikara affair and the general activities of the Rocky Mountain Fur Company. Pages 6-12 tell of Smith's career and character, and describe the death scene as told by the Comanches.

Warner, J. J.

Reminiscences of Early California. (Manuscripts in Bancroft Library, University of California, Berkeley.)

Printed in Historical Society of Southern California, *Annual Publication* (1906), VII, 176-183.

Williams, Wilson

Contract of Wilson Williams to assist Jedediah S. Smith in trade to New Mexico for a term of six months, at \$13 per month. (Manuscripts in archives in City of Mexico, Secretaria de Relaciones Exteriores, serie segundo, caja 1830-1834.)

Cited in Bolton, H. E., *Guide to the Archives of Mexico*, 260.

PRINTED SOURCES—PRIMARY

Ashley, W. H.

Letter to Major Benjamin O'Fallon, June 4th, 1823, in *American State Papers, Military Affairs*, II, 586-587. Also in Robinson, D. (ed), "Official Correspondence of the Leavenworth Expedition into South Dakota in 1823," in *South Dakota Historical Collections*, (1902) I, 182-185.

Report of the Aricara attack of June 4, 1823. Mentions sending an "express" (Smith) to Henry.

Ashley, W. H.

Letter to Colonel Leavenworth, June 4, 1823, in *Senate Executive Documents*. 18th Congress, First Session, Vol. I, Doc. 1. Extract reprinted in Dale, H. C., *The Ashley-Smith Explorations*, 75-76.

Sending of messenger to Henry.

Ashley, W. H.

Letter to Benjamin O'Fallon, dated Fort Brasseaux, July 19, 1823, in *Senate Executive Documents*, 18th Congress, First Session, Vol. I, Doc. 1. Also in Robinson, D. (ed), "Official Correspondence of the Leavenworth Expedition into South Dakota in 1823," *South Dakota Historical Collections* (1902), I, 188.

Notes the arrival of Major Henry to join Ashley at the mouth of the Cheyenne River.

Ashley, W. H.

Letter to Thomas Hart Benton, St. Louis, November 12, 1827, in *American State Papers, Foreign Relations*. Vol. VI, p. 706. Printed also in *Senate Executive Documents*, 20th Congress, Second Session, Vol. I, Doc. 67.

Describes region and operations of Rocky Mountain Fur Company and the dangers and profits of the business. Mentions relations of Smith with Peter S. Ogden at the Flathead Post in 1824.

Ashley, W. H.

Letter to Gen. A. Macomb, Commander in Chief of the Army of the United States. Dated Washington City, March, 1829. In *Senate Executive Documents*, 21st Congress, Second Session, Doc. 39, 1-7.

Atkinson, H.

Letter to Major General Gaines. St. Louis, August 15, 1823. In *Senate Executive Documents*, 18th Congress, First Session, Vol. I, Doc. 1. Also printed in "Official Correspondence of the Leavenworth Expedition into South Dakota in 1823." In *South Dakota Historical Collections* (1902), I, 187.

Deals with the return of Smith bringing Henry to the aid of Ashley in the Arikara affair.

Atkinson, H.

Letter to Major General Brown. In *House Executive Documents*, 19th Congress, First Session, Vol. VI, Doc. 117.

Cox, R.

Adventures on the Columbia River (N. Y., 1832), 333. "Extract of a letter" dated July, 1829. Makes very brief note of the Indian attack on Smith's party of 1828.

Cunningham, Captain W. H.

Extract from a letter of Captain W. H. Cunningham, San Diego, December, 1826, printed in *Missouri Republican*, October 25, 1827. Reprinted in Historical Society of Southern California, *Annual Publications* (1914), IX, Part III, 203.

Deals with Smith's arrival in California and apparent plan to trap northward and return to the Rockies.

Forsyth, T.

Extract of letter to Secretary of War, St. Louis, October 24, 1831. In *Senate Executive Documents*, 22d Congress, First Session, Doc. 90, 70-77.

Gordon, W.

Report to Secretary of War, St. Louis, October 3, 1831. In *Senate Executive Documents*, 22d Congress, First Session, Doc. 90, 26-30.

Gregg, J.

Commerce of the Prairies. In Thwaites, R. G., *Early Western Travels*. XIX, 235-239. Story of the Santa Fé train of 1831 by one who met the party after the murder of Smith.

McLoughlin, Dr. J.

The McLoughlin Narrative, in *Quarterly of the Oregon Historical Society* (1900), I, 193.

Addressed to Hudson Bay Company in vindication of his kindness to Americans. Very brief summary of Smith's entry into country west of the Rockies, his activities as a trader in the Snake Country, the attack on his party at the Umpqua River in 1828, the arrival of the survivors at Fort Vancouver, and Smith's return to the Snake in 1829.

McLoughlin, Dr. J.

The McLoughlin Document. In Oregon Pioneer Association, *Transactions* (1880), 47-48, 54. Quoted also in Marshall, W. I., *Acquisition of Oregon*. Addressed to Americans in vindication of his treatment of settlers. An account of the arrival at Fort Vancouver of Smith and the other survivors of the Umpqua River attack, and the recovery of furs for Smith by McLoughlin. It refers to the effect on the Indians of their punishment for the murder of Smith's party.

Missouri Historical Society

Collection of newspaper excerpts, St. Louis, Missouri. *Missouri Intelligencer*. (Available at Missouri Historical Society, St. Louis, Missouri.)

Especially:

March 25, 1823,

April 1, 1823,

July 1, 1823,

July 8, 1823,

Sept. 3, 1823,

Sept. 9, 1823,

Sept. 17, 1823,

Sept. 23, 1823,

Nov. 18, 1823,

Dec. 2, 1823,

Dec. 9, 1823, etc.

June 18, 1825.

Missouri Republican. (Available at Missouri Historical Society, St. Louis, Missouri.)

Especially:

Oct. 11, 1827 April 13, 1830

Oct. 25, 1827 October 19, 1830

Issue of October 11, 1827, contains Smith's letter to General Clark describing his first trip to California. That of October 25, 1827, contains an extract from Capt. Cunningham's letter on Smith in California. Republished in Historical Society of Southern California *Annual Publications* (1914), IX, 200-203.

Niles Register.

Vol. XXXI, p. 229 (December 9, 1826).

Brief account of the Ashley expedition to Salt Lake, and discussion of the ease of travel and advantages of fur trading in that region.

Vol. XXXIX, p. 173 (November 6, 1830).

Mentions the arrival in the city of St. Louis of Smith and Jackson with "two four wheeled wagons" of furs, and comments on the extent of Smith's western explorations.

Ogden, P. S.

"Journal of Peter Skene Ogden; Snake Expedition, 1827-1828," *Quarterly of the Oregon Historical Society*, XI, 368-369.

Discusses profits made by Americans in fur trading. Mentions the sale of Ashley's business to Smith, Jackson and Sublette.

Ogden, P. S.

"Journal of Peter Skene Ogden, Snake Expedition, 1828-1829." *The Quarterly of the Oregon Historical Society*, XI, 395.

Tells of seeing armed Indians, whom he believed plundered Smith's party in the fall of 1827. The reference must be to the Mojave attack.

Pilcher, J.

Report to Secretary of War, Lewis Cass, December 1, 1831. In *Senate Executive Documents*, 22nd Congress, First Session, Vol. II, Doc. 90, 11-18.

Pilcher, J.

Letter to Secretary of War, John H. Eaton. In *Senate*

Executive Documents, 21st Congress, Second Session, Doc. 39, 7-21.

Robinson, D. (ed).

"*Official Correspondence of the Leavenworth Expedition in South Dakota in 1823.*" In *South Dakota Historical Collection* (1902), I, 179-259. See also in *Senate Executive Documents*, 18th Congress, First Session, Vol. I, Doc. 1, and *American State Papers, Military Affairs*, II, 578-597.

Rogers, H. G.

Journals of Harrison G. Rogers. In Dale, H. C., *The Ashley-Smith Explorations*, 197-228, 237-271. The most important source on Smith in California.

St. Louis Beacon.

St. Louis, Missouri, October 7, 1830.

Smith, J. S.

Letter to Father Duran, May 19, 1827. In Dale, H. C., *The Ashley-Smith Explorations*, p. 232. Also in Historical Society of Southern California, *Annual Publications* (1896), III, 48-49, and elsewhere.

Written to conciliate the priests who feared the effect of Smith's party on the Indians. The letter gives the reasons for the entry into California, the attempts to leave, and the destitute conditions of the party.

Smith, J. S.

Letter to Gen. Clark. Dated Little Lake of Bear River, July 17, 1827. In Historical Society of Southern California, *Annual Publications* (1914), Vol. IX, Part III, pp. 200-203. Also in Dale, *Ashley-Smith Explorations*, pp. 186-194. Printed originally in *Missouri Republican*, October 11, 1827.

Smith's own report of his first trip to California, therefore a most important source.

Smith, J. S.

Excursions a l'ouest des Monts Rocky. Extrait d'une lettre de M. Jedediah Smith, employé de la compagnie des Pelleteries, in *Nouvelles Annales des Voyages*, XXXVII, 208-212.

A French translation of Smith's letter to General

Clark, taken from the *Missouri Republican* of October 11, 1827.

Smith, J. S., Jackson, D. E., Sublette, Wm.

Letter to Secretary of War, John H. Eaton. St. Louis, October 29, 1830. In *Senate Executive Documents*, 21st Congress, Second Session, Doc. 39, 21-23. Also in the *Quarterly of the Oregon Historical Society*, IV (1903), 395-398, and in Alter, J. C., *James Bridger*, 110-111.

Account of the business of the firm, the number of men employed, territory covered, rival activities of the British in Vancouver, and a detailed description of the wagon train to the Rockies in 1830.

United States.

House Executive Documents, 25th Congress, Second Session, Doc. 351, 246-248.

Letter of Juan De D. Cañedo to Poinsett, August 8, 1828, in protest against the invasion by Smith to hunt otter. Reply of Poinsett, Mexico, August 20, 1828. Poinsett transmitted a letter of Smith's to explain his entrance into Mexican territory, and stated that in it Smith complained of harsh treatment by the government.

United States.

American State Papers, Indian Affairs, II, 451-457.

Information on the Arikara attack on the Ashley expedition and the attitude of the western Indians toward fur traders. No direct mention of Smith.

Warner, J. J.

"Reminiscences of Early California from 1831 to 1846. Printed in Historical Society of Southern California, *Annual Publications* (1907-1908), VII, 176-193.

Contains account of Smith's trips to California, of the treatment he received at Fort Vancouver, and of the death of Smith on the Santa Fé Trail. Warner was a member of the Santa Fé party.

Wyeth, N. J.

Journal of First Journey. In Young, F. G., *Sources of the History of Oregon* (Eugene, 1899), I, 181.

Wyeth, N. J.

Letter to Hall and Tucker and Williams. Dated Cam-

bridge, November 8, 1833. In Young, F. G., *Sources of the History of Oregon* (Eugene, 1899), I, 73-78.

Wyeth, N. J.

Letter to S. K. Livermore. Dated Cambridge, February 13, 1832. In Young, F. G., *Sources of the History of Oregon* (Eugene, 1899), 38, 39.

PRINTED SOURCES—SECONDARY

Alter, J. C.

James Bridger. (Salt Lake City, 1925), 11, 38-39, 45, 77, 79, 93, 106-111, 118.

Describes Smith's experiences as a messenger to Henry after the attack on Ashley, his activities among the Crows and Flatheads in the region of the Snake and Green Rivers, the formation of the firm of Smith, Jackson and Sublette, the California trips, abandonment of the Snake River region to the Hudson's Bay Company, Smith's trapping on the Big Horn, Powder, Tongue and Yellowstone, his failure among the Blackfeet, the wagon train of 1830, and his death.

Bacon, W. R.

"Dilatory Settlement of California." Historical Society of Southern California, *Annual Publications* (1901), V, 157.

Mention of Edmund Randolph's lecture of 1860 on Smith, and Sprague's letter to Randolph on the abilities and accomplishments of Smith. See Randolph, E.

Bancroft, H. H.

History of Arizona and New Mexico, 1530-1888. (San Francisco, 1889), 335.

Brief comment and note on death of Smith.

Bancroft, H. H.

History of California. (San Francisco, 1884-1890), II, 551, 569, 600; III, 152-161; IV, 263; V, 723.

The reference of most value is the detailed account of Smith's activities in California given in volume III. Volume II mentions the month of Smith's arrival in San Diego and the Duran letter. Volume IV describes briefly

Smith's routes to California. In volume V, the "Pioneer Register and Index" gives a very brief sketch of Smith.

Bancroft, H. H.

History of Nevada, Colorado and Wyoming, 1540-1888. (San Francisco, 1890), 38-39.

Sketches route followed by Smith on his first trip to and from California, and comments briefly on his achievement.

Bancroft, H. H.

History of the Northwest Coast. (San Francisco, 1884-86), I, 514; II, 448-459.

Volume I deals with the establishment of the firm of Smith, Jackson and Sublette, the extent of their explorations, the transfer to a new partnership in 1830, and the death of Smith.

Volume II tells of Smith's explorations in Oregon and California, his reception in Vancouver, the first wagon train to the Rockies, and gives a general sketch of the Rocky Mountain Fur Company.

Bancroft, H. H.

History of Utah, 1540-1886. (San Francisco, 1889), 22-23.

A summary of Smith's route on his first trip to California and return to Utah.

Barnes, V., and Lesley, L. B.

"Jedediah Strong Smith; The Pathfinder of the Sierras." In *The Pomona College Quarterly Magazine* (June and October, 1926), 156-163, 25-31.

Interesting summary of the life and accomplishments of Smith.

Bell, J. C.

Opening a Highway to the Pacific (New York, 1921), 53-60.

Blackmar, F. W.

Spanish Institutions of the Southwest. (Baltimore, 1891), 306.

Mentions very briefly Smith's trips to California.

Bolton, H. E., and Adams, E. D.

California's Story. (Boston, 1922), 86-93.

Good popular account of Smith in California and the Umpqua incident, written for use in the public schools.

Breed, N. J.

The Story of Jedediah Smith Who Blazed the Overland Trail to California. Reprint by Department of Education from article in the *San Francisco Chronicle*, August 29, 1926.

Popular account of life and achievements of Smith. Emphasis on California.

California Historical Association.

"The Stories behind California's Place Names." In *California History Nugget* (May, 1924), I, 86.

American River said to have been named for Jedediah Smith's party.

California Historical Association.

"Things that People Want to Know About California." In *California History Nugget* (January, 1924), I, 13.

Credits Smith and party as being first Americans overland to California and briefly outlines route.

Camp, C. L.

"Kit Carson in California." In *California Historical Society Quarterly* (October, 1922), I, 118.

Mentions Smith in connection with Peter Skene Ogden's Trip. Warner quoted to the effect that Peter Skene Ogden was sent to San Joaquin Valley in 1829 to trap Beaver country reported by Smith.

Carey, C. H.

History of Oregon. (Chicago and Portland, 1922), 272, 286-291, 328.

An excellent account, sketching the entire career of Smith briefly, and telling in greater detail of the experiences in Oregon.

Carillo, C. A.

Exposición sobre el Fondo Piadoso (Mexico, 1831), 9.

The first book by a native Californian.

Chittenden, H. M.

The American Fur Trade of the Far West. (New York, 1902), I, 262-290; II, 552-553, 588-607.

Accounts of the Arikara attack on Ashley, Smith's

visit to Hudson Bay posts in 1824, the Ashley explorations, Smith's explorations in California, the Umpqua disaster, Smith's death, and the Leavenworth expedition against the Arikaras.

Clarke, S. A.

Pioneer Days of Oregon History. (Portland, 1905), I, 216-217.

The McLoughlin narrative. His account of Smith's Umpqua disaster, the arrival of the survivors at Vancouver and treatment accorded them.

Cleland, R. J.

Early Sentiments for the Annexation of California. (Austin, 1914), 9-12. Reprinted from *Southwestern Historical Quarterly*, XVIII, Nos. 1, 2, 3.

A brief sketch of Smith's activities in California.

Cleland, R. G.

History of California: the American period. (New York, 1922), 46-60. See also Index.

Complete, careful sketch of Smith's route to California, his reception, his return to Salt Lake, and second trip to California, with the resulting massacre at Umpqua. Interesting details of the stay in California and of other members in the party are presented.

Coman, K. C.

Economic Beginnings of the Far West. (New York, 1912), I, 355-362; II, 81-82, 171, 208-211.

Rather complete account of all of Smith's activities with emphasis on his operations in the northwest.

Connelly, W. E.

A Standard History of Kansas and Kansans. (Chicago, 1918), I, 119-120; II, 149.

A short account of the career and death of Smith and a discussion of the crossing of Kansas by Smith in 1830.

Coutant, T. F.

History of Wyoming. (Laramie, 1899), I, Chaps. xi, xii (pp. 119-147).

A good account of Ashley's trappers in Wyoming and of the trappers and fur traders of the Rocky Mountain

Fur Company. Smith's relation to the reorganization is given on page 130.

Cronise, T. F.

Natural Wealth of California. (San Francisco, 1868), 42-45.

Conflicting and inaccurate account of Smith's trips to California. Copy of the American shipmaster's voucher for Smith and his letter to Father Duran.

Dale, H. C.

The Ashley-Smith Explorations and the Discovery of a Central Route to the Pacific, 1822-1829. (Cleveland, 1918).

The standard work on Ashley and Smith. Presents the journals of Harrison G. Rogers, two letters of Smith, and other documents. Gives a careful account of the expeditions of Smith, valuable information in the form of notes, and a classified bibliography of Ashley and Smith.

DeBow, J. D. B.

The Commercial Review of the South and West (New Orleans, 1847), IV, 553.

DeBow, J. D. B.

DeBow's Review and Industrial Resources. (New Orleans, 1854-57), III, 517 et seq.

Dellenbaugh, F. S.

Breaking the Wilderness. (New York and London, 1905), 232-234, 250-252, 262, 269, 280.

Short account of Smith's explorations in California and the Umpqua incident.

Dellenbaugh, F. S.

Fremont and '49. (New York and London, 1914), passim, see index.

Refers to Smith in connection with Fremont's explorations.

Dellenbaugh, F. S.

The Romance of the Colorado River. (New York and London, 1902), 120-122.

Short description of Smith's first route to California.

Eldredge, Z. S.

Beginnings of San Francisco. (San Francisco, 1912), I, 249-250.

Short sketch of Smith's first trip to California. Locates return trip via the Pitt River pass near Lassen Peak.

Eldredge, Z. S.

History of California. (New York, 1915), II, 318-321, 433.

Account of Smith's explorations in California, the Umpqua attack and McLaughlin's courtesy to him.

Farnham, T. J.

Travels. Volume I. In Thwaites, R. G., *Early Western Travels*, XXVIII, 9, 113.

Mentions Smith in connection with the fur trade in the northwest and lack of early knowledge of the California region.

Farish, T. E.

History of Arizona. (Phoenix, 1915), I, 94, 98, 99.

Credits Smith with being the first white man to enter Arizona from the north and recounts very concisely his California explorations and death.

Fletcher, F. N.

"Eastbound route of Jedediah S. Smith, 1827." In *California Historical Society Quarterly* (January, 1924), II, 344-49.

Critical study of Smith's route from California to Utah in 1827. Disputes Dr. C. Hart Merriam's statement that he left California by the American River.

Frignet, E.

La Californie. (Paris, 1865 and 1867), 58-60.

Brief mention of Smith's relations with Mexican officials and a French translation of his letter to Father Duran.

Gallatin, A.

"Synopsis of the Indian Tribes within the United States East of the Rocky Mountains and in the British and Russian Possessions of North America." In American Antiquarian Society, *Transactions and Collections* (Cambridge, 1836), II, 140, 141; map opposite 265.

Gives Smith principal credit for discoveries south and west of Great Salt Lake. Map is based on a manuscript map and notes given the author by Ashley. The explorations are summarized. Important because so nearly contemporaneous.

Gaston, J.

Centennial History of Oregon. (Chicago, 1912), I, 53-55.

Mentions very briefly Smith's activities among the Flatheads in 1824 and 1825, and recounts inaccurately his trip to California. The Umpqua disaster and McLoughlin reception of the survivors are given detailed treatment.

Goddard, P. E.

"Life and Culture of Hupa." In *University of California Publication, American Archaeology and Ethnology.* (Berkeley, 1903-04), I, 8-9.

States that in 1828 Smith and "Hudson Bay" trappers crossed from Sacramento Valley to the Trinity, then to the Klamath and by that river to the Pacific.

Goodwin, C.

The Establishment of State Government in California. (New York, 1914), 6.

Mentions Smith in California.

Goodwin, C.

The Trans-Mississippi West (1803-1859). (New York, 1922), 126-128, 142, 428-432.

Description of activities of Smith among the Flatheads at Headwaters of Snake River (1824-25), the formation of the firm of Smith, Jackson and Sublette, a clear, interesting account of Smith's two trips to California, and the death of Smith as an example of the dangers of the Santa Fé trail.

Gray, W. H.

History of Oregon, 1792-1849. (Portland, 1870), 38-39, 206-209.

Quotes the statements of Gustavus Hines on the Umpqua disaster. Biased anti-British account, maintaining that the British traders instigated Indian attacks

upon the Americans and in this case profited greatly by the recovery and sale of Smith's furs.

Greenhow, R.

The History of Oregon and California, and the Other Territories on the North-West Coast of North America. (Boston, 1844), 357-358.

Account of the Rocky Mountain fur traders and a brief mention of the fact that Smith was a member of the firm of Smith, Jackson and Sublette and crossed to the Pacific twice.

Greenhow, R.

"Memoir, Historical and Political on the Northwest Coast of North America and the Adjacent Territories." In *Senate Executive Documents*, Twenty-sixth Congress, First Session, Doc. 174, p. 195.

Description of the trip of the first wagon train to the Rockies.

Guinn, J. M.

"Jedediah Smith: Pioneer of Overland Travel." In his *History of California, and Biographical Records of the San Joaquin Valley, California.* (Chicago, 1905), 89-91. Also in *Sacramento Valley*, 1906, 89-91.

Short sketch of Smith in California and description of his routes into and out of the State.

Guinn, J. M.

"Captain Jedediah S. Smith. The Pathfinder of the Sierras." In *Historical Society of Southern California, Annual Publications* (1896), III, Part 4, 45-54.

Short, clear account of Smith's explorations with special reference to California. Describes treatment accorded Smith by McLoughlin.

Hanna, P. T.

"California's Debt to Jedediah Strong Smith." In *Touring Topics* (Los Angeles, September, 1926), 24-25, 36-37.

Summary of Smith's explorations. Map of his Routes to California. Emphasis on routes later established over his trail.

Hebard, G. R.

The Pathbreakers from River to Ocean. (Lincoln, 1923), 61, 62, 67, 81.

Elementary account of Smith's connection with the Arikara attack, his explorations in California, and his death on the Santa Fé Trail.

Hebard, J. R., and Brininstool, E. A.

The Bozeman Trail. (Cleveland, 1922), I, 32, 34-39, 40.

Gives text of the advertisement of Ashley in 1822 for men for Missouri River trade, and brief comments on Smith and his various pathfinding activities.

Hittell, T. H.

History of California. (San Francisco, 1897), II, 100-4, 312.

Brief account of Smith's stay in California, the Mexican-United States diplomatic difficulty it aroused and the reported Smith discovery of gold in the Sierra Nevadas.

Hill, J. J.

"Ewing Young in the Fur Trade of the Far Southwest, 1822-1834." In *Quarterly of the Oregon Historical Society* (March, 1923), XXIV, 5, 28.

Mentions Smith in connection with trails to California, the fur trade in the Southwest and expeditions from the Santa Fé region to California.

Hines, G.

Oregon—Its History. (Buffalo, 1851), 408.

Contains material on the Umpqua disaster.

Hines, G.

Voyage Around the World with a History of the Oregon Mission. (Buffalo, 1850), 110-112.

Tells of the Umpqua disaster and Smith's reception in Vancouver. It stresses the kindness accorded the Americans by the English.

Holman, F. V.

Doctor John McLoughlin. (Cleveland, 1907), 33-38, 74.

Cites the treatment awarded Smith as an example of the character of McLoughlin.

Horner, J. B.

Short History of Oregon. (Portland, 1924), 47-48.

Very brief mention of Smith's trip to California. Rather full treatment of the Umpqua attack and McLoughlin's courtesy to Smith.

Houghton, E. P. D.

The Expedition of the Donner Party. (Los Angeles, 1920), 104.

Mentions John Turner, one of Smith's employees and a survivor of the Umpqua attack.

Hunt, F.

The Merchants' Magazine and Commercial Review. (New York, 1840), III, 200.

Hunt, R. D.

California and Californians. (Chicago, 1926), I (by N. V. Sanchez), 386, 401-403; II (by R. D. Hunt), 5, 6, 11-18.

Good, succinct discussions of Smith in California.

Hunt, R. D.

"Significant Events in the History of California." In Historical Society of Southern California, *Annual Publications* (1909-1910), VIII, 27.

Credits Smith with leading the first trapping party overland to California.

Inman, H., and Cody, W. F.

Great Salt Lake Trail. (New York, 1898), 255.

Mentions Smith's naming Utah Lake and Ashley River.

A popular account of Smith in California.

James, T. J.

Three Years among Indians and Mexicans. (Waterloo, Illinois, 1846). (Reprinted for Missouri Historical Society, St. Louis, 1916. Edited with notes by W. B. Douglas.) 27, footnote; 266 (citations are to the reprint).

Mentions Brown, one of the followers of Smith, who was killed by the Mojaves, and the fact that Smith took Henry's place in the Ashley Company.

Johnson, S. V.

A Short History of Oregon. (Chicago, 1904), 182-187.

Inaccurate account of Smith's trips to California, the Umpqua attack and his reception at Vancouver.

Laut, A. C.

The Conquest of the Great Northwest. (New York, 1908), II, 276-280.

Hudson's Bay men obtain the furs of a group of Americans in the region of the Snake.

Lippincott, I.

"A Century and a Half of Fur Trade at St. Louis." In *Washington University Studies* (April, 1916), III, Part 2, No. 2, 230, 231.

Mentions a description of the firm of Smith, Jackson and Sublette taken from the St. Louis *Times*, March 5, 1831. Summary of territory explored by Rocky Mountain Fur Company.

Lyman, H. S.

History of Oregon. (New York, 1903), II, 383; III, 60-65.

Volume II contains a brief sketch of the treatment accorded Smith after the Indian massacre of his party. Volume III gives a full account of Smith in Oregon and Vancouver (based on the McLoughlin narrative), and the Company's use of wagons on the Oregon trail.

McGroarty, J. S.

California, Its History and Romance. (Los Angeles, 1911), 166-171.

Interesting but not altogether accurate sketch of the Smith party in California.

McMaster, J. B.

History of the People of the United States. (New York and London, 1914), VI, 107-108.

Short, clear account of Smith's journeys to California, the massacre of his party in Oregon, and their use of a wagon train to transport furs to St. Louis.

Marshall, W. I.

Acquisition of Oregon. (Seattle, 1911), I, 319-322, 400, 406-409, 431-433.

Quotations from sources.

Maximilian (Prince of Wied)

Travels in the Interior of North America. Part I. In Thwaites, R. G., *Early Western Travels.* XXII, 250 note.

Mention of Smith in relation to fur trade.

Meany, E. S.

History of the State of Washington. (New York, 1909), 57-58.

Meany, E. S.

"Two Studies in the History of the Pacific Northwest." In American Historical Association, *Annual Report* (1908), 168.

Mentions Smith in connection with the British-American rivalry for the fur trade of the Pacific Northwest.

Merriam, C. H.

"Earliest Crossing of the Deserts of Utah and Nevada to Southern California: Route of Jedediah S. Smith in 1826." In *California Historical Society Quarterly* (October, 1923), II, 228-237.

Copy of Smith's letter to General Clark on his first trip to California and a map of Smith's route to California in 1826. Critical study of the route of Smith in the first expedition. Maintains that course of trip was over the Meadow Valley Wash and Muddy River and thence to the Colorado River.

Merriam, C. H.

"First Crossing of the Sierra Nevada; Jedediah Smith's Trip from California to Salt Lake in 1827." In *Sierra Club Bulletin* (San Francisco, 1923), XI, 375-79.

Discusses Smith's route through Sierras in 1827. Contends that Smith left California by way of the American River rather than the Stanislaus.

Merriam, C. H.

"Jedediah S. Smith's Route Across the Sierras in 1827. (A reply to F. N. Fletcher.)" In *California Historical Society Quarterly* (April, 1924), III, 25-29.

Defense of his belief that Smith left California by the American River.

National Intelligencer (Washington, D. C.), November 1, 1830.

Reports arrival of Jackson and Smith and states that Smith had explored the country from the Gulf of California to the mouth of the Columbia.

November 25, 1830. Trade of Jackson and Smith.
Account taken from St. Louis *Beacon*.

Neihardt, J. G.

The Splendid Wayfaring. (New York, 1920.)

An interesting and colorful story of the life and accomplishments of Ashley and Smith, told from the view point of a poet but written in prose.

Nesmith, J. W.

Transactions of the Oregon Pioneer Association, 1880.
(Annual address by Colonel J. W. Nesmith, pp. 23-24.)

Mentions Ebbert's service in firm of Smith, Jackson and Sublette, then proceeds to a brief summary of the Indian attack on Smith's party, at Umpqua, the escape of Black to Vancouver, the arrival there of Smith, John Turner and another man, and the aid extended by McLoughlin to regain furs.

Oregonian and Indian Advocate (Lynn, Massachusetts), I,
No. 5, 158-159 (February, 1839).

Discusses map making by Smith.

Palmer, J.

Journal. In Thwaites, R. G., *Early Western Travels*.
XXX, 192 note.

Mentions attack on Smith as an example of hostility of Indians of South Oregon.

Parrish, R.

The Great Plains. (Chicago, 1907), 87-89, 101-103, 117.

Discussions of Smith's activities in the Rocky Mountain Fur Company and the Santa Fé caravan of 1831.

Paxson, F. L.

History of the American Frontier. (Boston and New York, 1924), 333-364.

Very brief summary of Smith's activities as an explorer.

Powell, E. A.

Gentlemen Rovers. (New York, 1913), 125-151.

An entertaining story of the crossing of the ranges by Smith, but contains much that is fiction and an utter confusion of the historical facts.

Powell, J. W.

Exploration of the Colorado River of the West. (Washington, 1876), 10 ff.

Useful for the nature of the Colorado and its tributaries, especially the Green.

Quigley, H.

Irish Race in California. (San Francisco, 1878), 156-157.

Short, uncritical comment on Smith in California. It contains the erroneous statement that Smith was born in Ireland.

Randolph, E.

Address on the History of California. (San Francisco, 1860), 54-56, 71-72. See also *Hutchings California Magazine*, V, 263-270, 308-314, 344-352.

Contains a short account of Jedediah Smith. It includes the Duran letter, the voucher made for him by American shipmasters in California, and an interesting but almost wholly inaccurate letter by Thomas Sprague, on his activities in California.

Richman, I. B.

California under Spain and Mexico. 1535-1847. (Boston and New York, 1911), 269.

Mentions Smith's first trip to California. Contains a map of value, giving route of trails into California.

Ross, A.

Fur Hunters of the Far West. (London, 1855), II, 127-130.

Smith's party escorts a group of Indian fur trappers who had met disaster, back to Ross on Goddin's River. Ross disbelieved the story of accident. He felt that the Americans seduced the Indians and obtained their furs.

Royce, J.

California. (Boston and New York, 1886), 35.

Mentions Smith's trip to California in 1826.

Russell, I. K., and Driggs, H. R.

Hidden Heroes of the Rockies. New York, 1923.

Full and interesting account of all Smith's activities, incoherent in spots. Page 164 gives a copy of bond of

Smith for \$30,000 as guarantee to Mexican government that he would leave California.

Sabin, E. L.

Kit Carson Days. (Chicago, 1914), 50-56, 66-68, 94-101, 140, 241, 511-518 (*Eulogy*), 627-8 (Biographical note).

This popular account of Kit Carson and his fur trading and scouting background, contains many references to Smith and reprints the *Eulogy* from the *Illinois Magazine* of 1832.

San Francisco Times, June 14, 1867.

Short biographical sketch of "Jedediah S. Smith: the California Explorer," written by an associate of Smith.

Schafer, J.

The Pacific Slope and Alaska (G. C. Lee, *History of North America*, X, Philadelphia, 1904), 118-121, 122, 221.

Schafer, J.

History of the Pacific Northwest. (New York, 1918), 108-109.

Brief account of Smith's trips to California, his reception by McLaughlin, and the first wagon train to the Rockies.

Schoolcraft, H. R.

Information Respecting the History of the Indian Tribes of the United States. (Philadelphia, 1853), Part III, 99.

Comment on Smith's travels and discussion of the manuscript map drawn by Smith. Not in words of Schoolcraft, but in those of George Gibbs, in journal kept during McKee expedition.

Semple, E.

American History and Its Geographic Conditions. (Boston, 1903), 194.

Credits Smith with the first overland expedition to California.

Shaw, D. A.

Eldorado. (Los Angeles, 1900), 237-248.

An extended and entertaining account, but very inaccurate and wholly unreliable.

Simpson, Sir G.

Journey Around the World. (London, 1847), I, 248-249.

Recounts the story of the Umpqua affair and Smith's reception at Fort Vancouver. From the English point of view.

Smith, E. D.

"Jedidiah Smith and the Settlement of Kansas." In *Kansas Historical Collections* (1911-12), XII, 252-260.

A brief sketch of the parentage and youth of Jedediah Smith, with an overdrawn account of his activities in Santa Fé trade, western exploration and death. The value to Kansas of the route he traced is stressed.

Smith, J. S.

Harper's Encyclopedia of United States History. (New York and London, 1912), VIII.

Rather good short account of Smith's explorations in California and the Umpqua incident.

Smith, J. S.

Eulogy of.

In Illinois Magazine, June, 1832. Also in Sabin, E. L. *Kit Carson Days*, (Chicago, 1914), 511-518.

Reprinted from the *Illinois Magazine*, June, 1832, in Sabin, Edwin L., *Kit Carson Days*. (Chicago, 1914), Appendix, 511-518. An enthusiastic account of an anonymous friend. Emphasizes his contribution to geographic information and western cartography. Gives a hearsay account of Smith's death.

Snowden, P. A.

History of the State of Washington. (New York, 1909), I, 463-465; II, 10-12, 63, 81.

South Dakota Historical Society.

"The War on Whiskey in the Fur Trade." In *South Dakota Historical Collections* (1918), IX, 169.

States that Smith was the first to protest against the use of whiskey in the fur trade. Ashley made "practically effective" the desires of Smith.

St. Louis *Weekly Reveille*.

March 1, 1847.

Article by John S. Robb entitled "Major Fitzpatrick the Discoverer of the South Pass." Reprinted in footnote in Alter, J. C., *James Bridger*, 38-40. Mentions Smith's

trip with Fitzpatrick and William Sublette to the Crow region after the Ree attack in 1823.

Stansbury, H.

An Expedition to the Valley of the Great Salt Lake of Utah. (Philadelphia, 1852.)

Good descriptions of the country, routes, and streams from Fort Leavenworth to the Salt Lake Valley. The valley is well described.

Thompson and West.

History of Los Angeles County. (Oakland, 1880), 32, 35.

Brief mention of Smith and of Joseph (Joaquin) Bowman, one of his party.

Thompson and West.

History of Nevada. (Oakland, 1881), 20-22.

An account full of mistakes. Reprints Duran letters and document of ship captains.

Townsend, J. K.

Narrative. In Thwaites, R. G., *Early Western Travels* (Cleveland, 1905), XXI, 192, 314, 329 (notes).

Mentions Smith in connection with exploits of Thomas Fitzpatrick, P. S. Ogden and John Turner.

Turner, F. J.

Rise of the New West. (New York, 1904), 121-123.

Brief summary of Smith in California and Oregon.

Tuthill, F.

History of California. (San Francisco, 1866), 124-125.

Mentions Smith's visit as an indication of the American interest in the fur trading possibilities of California and the Mexican distrust of foreigners. Loose narrative of Smith in California.

Twitchell, R. E.

Leading Facts in New Mexican History. (Cedar Rapids, 1911-17), II, 123-124, 135, note; IV, 516-518, note.

Quotes the Chittenden account of Smith's death, gives a very short account of his trading and exploring activities, and William Waldo's opinion as to his religious character and intellectual ability and accomplishments. Reference in volume IV is to the Santa Fé trading activities of Smith as related by E. D. Smith, his grand-nephew,

in Kansas State Historical Society *Collections*. It credits him with the discovery of the Cimarron route to Santa Fé and greatly exaggerates the account of Smith's death.

Victor, F. F.

The Early Indian Wars of Oregon. (Salem, 1894), 11.

A brief account of Smith in Oregon and of the later experiences of his companion, Turner.

Victor, F. F.

The River of the West. (Hartford, Connecticut, 1870), 33-36, and *passim*.

A short sketch of the Rocky Mountain Fur Company, Smith's trading activities in the Snake region, and the Umpqua disaster, is given in the introductory chapter. The main text of the book is a story of the West based on the personal reminiscences of Joseph L. Meek, an employee of the Rocky Mountain Fur Company. Numerous references to Smith occur in the early part of the book.

Wagner, H., and Keppel, M.

California History. (San Francisco, 1922), 112-114, 184.

Very elementary account of Smith in California and the Umpqua attack.

Wagner, H. R.

The Plains and Rockies, a Bibliography of Original Narratives of Travel and Adventure. (San Francisco, 1921), 27, 29, 35, 61.

Cites sources valuable for a study of Smith.

Wagner, W. F. (ed.)

Adventures of Zenas Leonard, Fur Trader and Trapper. (Cleveland, 1904), 27-32, 151-156, footnote.

The journal of Leonard, who made a trip from Independence to California in 1831-35 over the Utah, northern Nevada route. There is a short account of the Smith period in the Rocky Mountain Fur Company. The long footnote is a worthwhile, interesting summary of Smith's life.

Watkins, A.

"The Evolution of Nebraska." In *Proceedings of the Mississippi Valley Historical Association*. (1909-1910), III, 126, 128.

Mentions Smith as a member of the Rocky Mountain Fur Company in connection with fur trading in Nebraska and the use of wagons to carry furs to St. Louis from the Rockies.

Wilson, F. T.

"Old Fort Pierre and Its Neighbors." In *Collections of Historical Society of South Dakota*. (1902), I, 269, 335-337.

A brief sketch of the Rocky Mountain Fur Company. Notes by Charles E. DeLand.

Willard, C. D.

History of Los Angeles City. (Los Angeles, 1901), 162. Mentions Smith's first trip to California.

A GROUP OF JEDEDIAH STRONG SMITH DOCUMENTS

The two letters printed below, written by Jedediah Smith to his brother Ralph within the last two years of his eventful life, give an intimate view of the characteristics of that unusual fur trader and explorer. As far as the writer knows only a few paragraphs have heretofore been printed. The letters were made available for publication through the kindness of Miss Stella Drumm of the Missouri Historical Society, from copies in the possession of that institution. The originals are deposited at the State Historical Society of Kansas at Topeka.

The two excerpts from the *Missouri Republican* are also from the files of the Missouri Historical Society. A more detailed account of the wagon trip of 1830 is given in the letter from Smith, Jackson, and Sublette to the Secretary of War, John H. Eaton, October 29, 1830. It was printed in *Senate Executive Documents*, 21st Congress, Second Session, 1831, Doc. 39, pp. 21-23, and has been reprinted in other publications.

JOHN C. PARISH.

Wind River, East side of the Rocky Mountains,

Dec. 24, 1829.

Dear Brother

It is some length of time since I wrote you, but I think you will excuse me when I tell you I have never received a Letter from you since I left home, notwithstanding my repeated requests, in my Letters, for an answer—I cannot think you have not wrote—miscarried.

I have often written, but my memorandums are not at hand and I do not recollect the substance of what I wrote, further than I have always been anxious to know of the welfare of my friends & I do assure you that anxiety still remains—

I feel thankful for this privilege we enjoy of writing to & enquiring of each others welfare both Spiritual and Temporal; Should you receive this please give me (& as soon as possible as my partner will be in St. Louis a short time, &

then return to join me & my other partner in the mountains) an explanation of your Silence & a full account of the situation of our Friends—since I left home I have passed through various vicissitudes of Fortune; I have been fortunate in some respects in others unfortunate—I have passed through the Country from St. Louis, Missouri, to the North Pacifick Ocean, in different ways—through countrys of Barrenness & seldom one of the reverse, many Hostile Tribes of Indians inhabit this Space and we are under the necessity of keeping a constant watch; notwithstanding our vigilance we sometimes suffer; in August 1827 ten Men, who were in company with me, lost their lives, by the Amuchabas Indians, on the Colorado River; & in July 1828 fifteen men, who were in company with me lost their lives, by the Umpquah Indians, on the River of the Same name, it enters the North Pacifick, one hundred miles South of the Mouth of the Columbia—many others have lost their lives in different parts of the Country—My Brother believe me, we have many dangers to face and many difficultys to encounter, but if I am Spared I am not anxious with regard to difficulties—for particulars you must await a meeting—

When you write do not omit letting me know how Doctor Simons is, David & Titus Lique—Remember me to my Friends, the Dr. and his Sons. I wish as many of them as may find it convenient, to write, & that soon for the reason before mentioned—I shall write a few lines to Peter & Austin & as Austin writes they are at the Tin & Copper Smith trade I shall advise them to make them Selves masters of that Valuable Trade.

I shall likewise write to my other friends (I e) so many as I have time to write to—I shall only State the Substance of what I have written, above, & my Brother will, undoubtedly, do me the Favor to forward them.—

As it respects my Spiritual welfare, I hardly durst Speak I find myself one of the most ungrateful, unthankful, Creatures imaginable. Oh when Shall I be under the care of a Christian Church? I have need of your Prayers, I wish our Society to bear me up before a Throne of Grace—I can not speak to my friends with regard to my comeing home I have Set so

many times, & always found myself unable to perform, that it is better to omit it—Give My Love to My Father, Mother, Brothers, Sisters, Neffiewes & Nieces, none excepted.

I remain as ever Your affectionate Brother

JEDEDIAH S. SMITH.

P. S.—I concluded after writing the above, that if Mr. R. Campbell now resided in St. Louis he should be the Agent instead of Gen. Ashley, if he is not there it will be as above written. J. S. S.

Mr. Ralph Smith

P. O. Richland county.

Aside.

P. S. please Turn over & read a few lines

Providence has made me a Steward of a Small pittance; & my Prayer is, that whilst I am allowed the privilege of using it, I may use it without abuse—I will endeavor to forward a little Money, as you will see below, & no doubt my Brother will assist me in disposing of it according to my wish, and it must be your particular care that none, who may receive a benefit, know from where it comes—in one of the rest of my letters will I speak of my Temporal concerns—in the first place my Brother, our Parents must receive of our beneficence, & if Dr. Simons is in want I wish him to be helped; I want, if it is in your Power, that you Should place Ira B. Paddock, and Nelson, at a good English School—I will pay no attention to Austin, or Peter, further than to advise them to make themselves masters of their trade, as they are now men—I wish you to consult Dr. Simons, on the method of Educating our Brothers, as it is my wish to carry them into some of the higher branches of Education—I feel in hopes I Shall be able, when it is needed, to send more Money; you will consult the Dr., if a live, if not, some other guide, & write to me your own ideas, as well as the conclusion of the Dr. on the Subject.

I write to Gen. Wm. H. Ashley, of St. Louis, to take Charge of the money, & get an interchange of Letters with you, & then take the proper method to forward it Securely—My Partner Mr. Wm. L. Sublette takes this Letter to St. Louis

& forwards it—and if any accident has befallen Gen. Ashley he will appoint another Agent and let you know by Letter—as I before stated Mr. Sublette will remain in St. Louis about 2 months, before he returns to Join Mr. Jackson & myself in the Mountains—the Sum for which you Will expect to receive will be Two Thousand and Two hundred dollars—You will do me the favor to keep an act of the expeditures, if any of our Friends are in a distrest Situation youl please let me know, recollect that we are Brothers, and I shall not forgive you, if you do not let me know your own Situation—be not too modest—

It is that I may be able to help those who stand in need, that I face every danger—it is for this, that I Traverse the Mountains covered with Eternal Snow—it is for this that I pass over the Sandy Plains, in heat of summer, thirsting for water, and am well pleased if I can find a Shade, instead of water where I may cool my overheated Body—It is for this that I go for days without eating, & am pretty well satisfied if I can gather a few roots, a few Snails, or, better Satisfied if we can afford ourselves a piece of Horse Flesh, or a fine Roasted Dog, and, most of all, it is for this, that I deprive myself of the privilege of Society & the Satisfaction of the Converse of my Friends! but I shall count all this pleasure, if I am at last allowed, by the Alwise Ruler, the privilege of joining my Friends—Oh My Brother let us render to him, to whom all things belongs, a proper proportion of what is his due.

I must tell you for the past, that I am much behind hand, Oh! the perverseness of my wicked heart! I entangle myself altogether too much in the things of time—I must depend entirely upon the Mercy of that being, who is abundant in Goodness & will not cast off any, who call sincerely, upon him! again I say, pray for me My Brother—& may he, before whom not a Sparrow falls, without notice, bring us, in his own good time, Together again—as I said before let no man know of this little money which is to be forwarded, except the one whom you consult,—let it be the greatest pleasure that we can enjoy, the height of our ambition, now, when our Parents are in the decline of Life, to smooth the pillow of their

age, & as much as in us lies, take from them all cause of Trouble—but all this advice is quite unnecessary, to one whom I know to be much more ready than myself, to do that which is a part of our duty—

As I do not know where our friends, may now reside, you will please fill out the Superscription.

Your Brother

JEDEDIAH S. SMITH.

Blue River, fork of Kansas, 30 miles from the

Pawnee Village, Sept. 10, 1830.

Dear Brother

Yours of March 15th to April 3d were duly received, by which I received the mortifying intelligence of the Death of our much loved Mother, I had indulged the pleasing hope of again Seeing and, perhaps, administering to the necessities of Her to whom we owe so much / / / / but he who had undoubted right, has called and She is gone—

We can See Her no more here; therefore let us prepare against the Same Summons must be received by us—

I am indebted to Doctor Simons for his epistle dated March 15, 1830 and I wish you to express my gratitude in becoming terms of respect—I fear that Dr. Simons thinks I only feel bound, where I sign my Name, but, if so, he to whom I am under so many obligations, is much mistaken. . . .

how happy I should consider myself if I could *again* be allowed the privilege of spending some times with my much esteemed Friend. I think the Dr. recollects this excellent precept “if you have one Friend feel, or think your Self happy” I hope I have one *Friend*—on my arrival at the Settlements (Should I be so fortunate as to gain that point, I intend writing to Dr. Simons—

You recollect, My Brother that you, in your favor of 3d April, said you would be glad to See me, in St. Louis, if I could not come to Wayne,—you will confer a favor upon J. S. S. to come, on receipt of this, as soon as circumstances will permit.

Should you not be able to come in time apply to Tracy & Wahrendorf, we shall (if permitted by Him who rules) be in St. Louis in thirty five or forty days & I shall (if permitted

by the Same Good being) remain there one Month, perhaps more—Our business is so arranged that I am not under the necessity of visiting the mountains again—Brother I now recollect that when I came from home I owed \$10 to Ransom Clarke, if it is not Settled, pray Settle it at once for that Man will think I am not inclined to pay my honest debts—you have undoubtedly paid to the Dr. the few dollars that he will receive—no more at present— JEDEDIAH S. SMITH.

P. S. Having overtaken this Letter, this 22d of Sept. (at Kansas Fairy, 30 miles from camp Leavenworth, or rather Cantonment Leavenworth, I add we are there for Safe.

J. S. S.

WESTERN ENTERPRIZE.—An expedition has been for some time past, fitting out in this city, which furnishes a very favorable illustration of the enterprize of the Western people. The expedition is under the immediate control of Messrs. Smith, Jackson and Sublette, and is destined for the Rocky Mountains. Seventy men are engaged in the service, and *ten heavy wagons* are employed in the transportation of the merchandize and baggage of the company. It is the present design to proceed the whole of the distance with the wagons—a means of transportation never before used in expeditions to that country. The principal men concerned in the enterprise, are sanguine of the success of the experiment—and in the event of an attack from the savages in the open plain, the wagons may be formed into a breastwork, against which all their assaults will be unavailing. We wish the gentlemen every success in their adventure.—(*Missouri Republican*, April 13, 1830.)

A Trading Expedition, commanded by Messrs. Smith, Jackson & Sublette (successors to General Ashley), consisting of 81 men, with ten loaded wagons, each drawn by five mules, left St. Louis for the Rocky Mountains, on the 10th of April, last, and arrived at their place of destination—within 50 miles of the waters of the Pacific¹—on the 16th of July. Returning,

1. This expression evidently means "waters flowing into the Pacific." In their report to Secretary of War John H. Eaton, the leaders themselves, Smith, Jackson, and Sublette, clearly state that they did not attempt to take the wagons further than the rendezvous at the head of the Wind River. See *Senate Executive Documents*, 21st Congress, Second Session, 1831, Doc. 39.

they left the place of rendezvous on the 4th of August, and arrived at St. Louis, on the 11th of October, with the same wagons and teams, and all in good order. We have not been furnished with any further particulars of the expedition, but understand that they have been successful.—(*Missouri Republican, October 19, 1830.*)

SOME NOTES ON THE ANCESTRY OF JEDEDIAH STRONG SMITH

By GEORGE WILLIAM BEATTIE

While going through the papers of his late wife, a niece of the famous pathfinder, Jedediah Strong Smith, Mr. Walter R. Bacon of Los Angeles has recently located two valuable documents relating to Smith's genealogy. The documents follow:

1. COPY OF LETTER FROM MISS ANN CORNWALL TO MRS. ELIZA SPEARMAN, A GRAND NIECE OF CYRUS STRONG, SENIOR.

Binghamton (N. Y.), August 23rd, 1880.

Dear Mrs. Spearman:

Mrs. Clapp has handed me your letter of August 7th.

In compliance with your request, will give you what information the family possesses concerning their ancestors.

Elder John Strong, of Northampton, married Abigail Ford.

Their son Jedediah was born May 7th, 1637. He married Freedom Woodward, November 18th, 1662.

Their son, Jedediah Strong, Jr., was born August 7th, 1667; married Abigail Ingersoll, November 8th, 1688; moved from Northampton to Lebanon, Conn., August 24, 1696.

Ezra, son of Jedediah, Jr., was born March 2nd, 1702. Married Abigail Caverly, January 12th, 1730.

Jabin, son of Ezra, born August 12th, 1734. Married Betsy Curtis, year unknown, about 1762 or 1763. His wife died in 1782; married a widow, Mrs. Grover, who had a son, Jabin; he died without children.

Jabin Strong, Sr., died about 1817.

THE CHILDREN OF JABIN

1. Sally, who married *Jedediah Smith*.
2. Abigail (?), who married Jedediah Higgins.
3. Lydia, who married Jedediah (?) Johnston (?).
4. Betsy, who married Jabin (?) Bush.
5. Cyrus (Sr.), who was born February 8th, 1777.
6. David, who went to sea in the ship Smyrna when he was 21 years of age, and was never heard from afterwards.

7. Jabin, Jr., son of the second wife, who died without issue.

Your ancestors were of English descent.

Cyrus Strong (Sr.) was married to Rosalinda Brooks in Bainbridge, September 16th, 1804. He probably lived there for three or four years. I do not think the family knows anything more about those early days. He lived with your grandfather part of the time.

Yours sincerely,

ANN E. CORNWALL.

(Note: Interrogation points indicate questions raised by Mrs. Spearman's memorandum.)

2. MEMORANDUM IN HANDWRITING OF MRS. SPEARMAN.

"*Hugh Johnson* married *Lydia Strong*. *Moses Bush* married *Betsy Strong*; these two women were *all* the sisters my Grandmother Smith had. *Cyrus Strong*, the only brother, married *Linda Brooks*; their home was in Connecticut. Judge *Ford* was my great grandmother's brother. My grandmother lived with them until she married *J. Smith*.

(Signed) SARAH ELIZA SPEARMAN.

To these documents Mr. Bacon adds the following note:

"Mrs. Spearman, who furnished this to Mrs. Bacon in her life time, has been dead some years. Her mother was *Eunice Smith*, a daughter of *Sally Strong*, the wife of *Jedediah Smith*, which latter was the father of *Jedediah Strong Smith*, our first overland Californian.

"Mrs. Spearman's uncle, *Cyrus Strong*, was the son of *Cyrus Strong*, the fifth child of *Jabin Strong*, mentioned in the enclosed, and she for years kept in touch with him, and had his picture. He was quite a wealthy man, and occasionally came west to see her, so that she kept track of the family.

"The enclosed copy of letter giving the family history, was written by *Ann Cornwall*, who for years lived in the family of this uncle, *Cyrus Strong*, and was an old lady at the time the letter was written . . ."

The authors of the above quoted documents were intimately associated with the near relatives of *Jedediah Strong Smith*, so their statements showing his place in the *Strong* family, so widely distributed in America, are especially valuable, in the absence of official records. Time, however, would be required to verify details of the traditions they give by

examining entries in family Bibles, or birth, baptismal, marriage and death entries in town, church or court records.

The genealogical line given in these documents, from Elder John Strong to Sally Strong, is in accord with that given in the "*History of the Descendants of Elder John Strong of Northampton, Mass.*, by Benjamin W. Dwight, 1871; Joel Munsell, Pub." Descendants of Sally Strong are not given in this book.

On page 892 of this work is given the following about Jabin Strong, grandfather of Jedediah Strong Smith:

Jabin Strong (son of Ezra and Abigail Strong of Hebron, Ct.), b. Aug. 12, 1734, m. Betsy Curtis: a farmer at Easthampton, Ct. She died in 1782 and he m. for 2nd wife, a widow, Mrs. Grover. He traveled largely through the west when it was a wilderness filled with Indians, and went accidentally over Niagara Falls without being killed. he d. about 1816, aged 80 and more.

(6th Gen.) CHILDREN

By first wife:

Sally Strong, m. Ozias Brainerd (?).

Abigail Strong.

Lydia Strong.

Betsy Strong.

Cyrus Strong, b. in Easthampton, Ct., Feb. 8, 1777.

David Strong went to sea when 21 years of age in "The Smyrna," built at Chatham, Ct. (Capt. Hall), and was never heard of afterwards.

By second wife:

Jabin Strong, Jr., d. without issue.

From the above it might be inferred that Sally Strong first married *Ozias Brainerd*, and that Jedediah Smith was her second husband, but the memorandum by Mrs. Spearman makes it probable that the entering of the name Ozias Brainerd in this place was an error.

The *History* of the Strong family contains the following letter to the nineteen-year-old son of Jedediah Strong, Jr., great-great-grandfather of Jedediah Strong Smith. The writer of this letter was killed by Indians at Wood Creek, N. Y., in October, 1709. The letter helps to explain the strongly religious character of Jedediah Strong Smith—something unusual among the Rocky Mountain men of his day. He was born of a line of deeply religious men.

LETTER FROM JEDEDIAH STRONG, JR.

Son Stephen :

Hearty love to you, hoping you are well; as I am, blessed be God for it. I have nothing of news to write to you. I wrote a letter to your mother yesterday, and therein all the news I have: but yet I gladly take the opportunity to write a word to you, as a testification of my love to you. I hope you will be mindful of the advice I left you. Be tender of, and obedient to your mother. I hope you take care of affairs at home; but they are little in my thoughts; but I daily mind you, and God forbid that I should cease to pray for you daily. I want such opportunity for it as I had at home. Dear son, pray for yourself and for me also. Give my respects to your mother. What I here say to you, I herein say to the rest of the dear ones. Also my affectionate love to my dear daughter.

I remain your affectionate father,

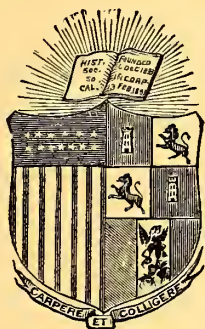
JEDEDIAH STRONG.

July 19, 1709.

Organized November 1, 1883
PART IV

Incorporated February 13, 1891
VOL. XIII

ANNUAL PUBLICATIONS



HISTORICAL SOCIETY

OF

SOUTHERN CALIFORNIA

1927

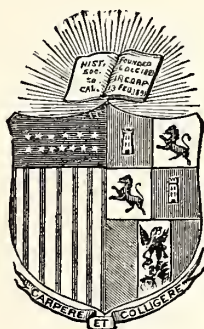
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JOTHAM and MARCELLUS BIXBY
February 23, 1907
Fifty-five years from the day
they started for
CALIFORNIA

THE DIARY OF MARCELLUS BIXBY FROM 1852 TO 1856

(Kept by him during his trip with his brother, Jotham Bixby, from Maine to California, and their residence in Amador County.¹)

INTRODUCTION

With the passing of the years, there appears to be, if anything, an increasing interest in the era of the Great Migration to California. For several years following the discovery of gold, California was a magic name that drew men of spirit and bold adventure from the far corners of the earth to seek their fortune here. Of the thousands that came by every available route, around the Horn, over the Isthmus of Panama, across Mexico at Tehuantepec, or over the transcontinental emigrant trails, many remained to become citizens of the newly formed State, and to establish a civilization on the Pacific slope. The history of California in the Spanish period has been scientifically studied by Professor Herbert E. Bolton and his students, who have had as their laboratory the great collection of books and manuscripts made by Hubert Howe Bancroft, and now happily the possession of the State of California. The Native Sons of the Golden West, a patriotic order, has provided travelling fellowships to permit trained students in history to exploit the Spanish archives and thus lay the foundations for the systematic study of the early history of California. The American period has been surveyed by such competent historians as Dr. Robert G. Cleland and Dr. Rockwell Hunt, — to mention only two, — and vast quantities of valuable materials have been put in print by H. H. Bancroft and his collaborators. But a great deal of patient "spade work" remains to be done before many obscure episodes of the later period are cleared up and various aspects of the "transit of civilization" across our Continent are sufficiently illumined to enable the scientific historian to make effective use of them. As we approach our own time, the mass of sources, printed and manuscript, becomes almost overwhelming. In the face

1. From a copy made by Dr. Edward M. Bixby in San Francisco in 1907.

of such a situation, indiscriminate publication of materials of uncertain value may seriously retard the cause of genuine scholarship. It is a pleasure to note the increasing tendency on the part of historical and patriotic societies in California to publish serious and mature studies in local history, on the one hand, and documents deserving of preservation, on the other.

The Diary of Marcellus Bixby, like that of his cousin, Dr. Thomas Flint, published a few years ago,² throws light upon the coming to California of some of the men who became leaders in the early days of statehood. The Flint Diary describes briefly the trip by way of Panama, and in greater detail the overland journey. The present Diary, brief in compass, less gossipy, and admittedly less informing, derives its interest partly from the fact that it is one of the surprisingly small number of published diaries that describes the trip around the Horn, and partly from the circumstance that Marcellus and Jotham Bixby became actual settlers who helped in the development of the communities of San Benito County and Long Beach. They were brothers of Llewellyn Bixby, and came from Norridgewock, Maine.

Since the Flint and Marcellus Bixby Diaries may be considered as a unit, it may not be without interest or inappropriate to quote here certain paragraphs from a History of Amador County³ that will serve to illustrate the surroundings to which these transplanted New Englanders were obliged to adjust themselves. Those were stirring days, when legal procedure was likely to be supplemented by extra-legal action of self-appointed groups of citizens. In describing Volcano, the compilers say:

"A number of houses of respectable appearance were built in 1851, among which were the Volcano Hotel by G. W. Gemmil; the National by Dr. Flint of Flint, Bixby & Co.; the Philadelphia House by Downs . . . The last two were standing until a few years since, a relic of pioneer days."

And further:

2. "Diary of Dr. Thomas Flint" in Historical Society of Southern California, *Annual Publications* (1923), XII, 53-127. Also reprinted in separate form.

3. Thompson and West, *A History of Amador County* (Oakland, 1881), 206.

"Dr. Flint, since an extensive stock raiser in some of the southern counties, under the name of Flint, Bixby & Co., went into the mountains on the line of the emigrant road, and purchased stock. In driving it down to Volcano some of it escaped and was taken up by some men at Fort Ann, who advertised the cattle as well as they were able at the time, as *estrays*. They refused to give them to Flint on proof of ownership, which he presented, and a lawyer advised him to avoid the preliminary costs of a suit, a hundred dollars or more, by taking the cattle by force, so as to compel them to initiate the lawsuit, if they wanted one.

"Flint took Rod. Stowell as the force element, but force was something both sides could appeal to, and a row ensued, Rod. getting a ball which made a cripple of him for life; and the two miners, wounds which were thought by the physician to be mortal. Stowell was arrested and found guilty of murder by a jury of miners, and a resolution was passed to hang him when either of the victims should die. Unexpectedly, the two miners recovered, and Stowell escaped hanging, more on account of the pleadings of his mother than from any good will the people bore him, for his name had become offensive . . ."⁴

The accompanying map, showing the route taken by the sailing ship, "Samuel Appleton," was prepared by Dr. Edward Bixby of San Francisco, a son of the Diarist. The map of the region of Volcano, Amador County, was made by Mrs. Sarah Bixby Smith, the author of *Adobe Days*, an interesting and authoritative account of the life led in California by the diarists and their relatives after they had settled down to ranching.⁵ Of the 760 vessels that are credited with making the trip around the Horn in 1849-1850, it is said that not a single one was lost on the route, and that all entered San Francisco Bay without a pilot.⁶ A complete list of these ships, many of them

4. Rod. Stowell was a Texas ranger who had killed an Indian at "Indian Gulch" in '49, and a Missourian named Sheldon about 1850. Thompson and West, *A History of Amador County*, 204.

5. The ranching ventures of the family are briefly described in the notes appended to the reprint of the Flint-Bixby Diary (pp. 76-78), supplied by Mrs. Sarah B. Smith, daughter of Llewellyn Bixby, who accompanied Dr. Flint across the plains in 1851. The connection of the family with Southern California began with the purchase of Rancho los Cerritos from Don Juan Temple in 1866.

6. Farwell, Willard B., "Cape Horn and Co-operative Mining in '49." In *Century Magazine*, XX.

near-derelicts that were beached upon their arrival at San Francisco, would be of value to the student, especially if the compiler would note the owners, skippers, ports of origin, and dates of sailing. What an interesting collection of names might be found in some of the passenger lists of those days!

WALDEMAR WESTERGAARD.

THE DIARY

Feb. 23, 1852. Left home today for California. My birthday. Age 28 years. Took the stage to Waterville, the cars to Portland, and the steamboat to Boston.

Feb. 24. Boston. Arrived here about 4 o'clock this morning. I have paid the balance down on my ticket, \$120.00, also on Jotham's and Frank's. Stopped at the New England House.

Feb. 25. Today I have been strolling through the city, without any particular object in view.

Feb. 26. Today I have been wandering through the city, the same as yesterday. Jotham, Frank [Bixby], and Josiah Gilman⁷ arrived this evening.

Feb. 27. Today we have been up into Bunker Hill Monument. Have purchased a pistol, blanket, and mattress. This evening we were at the Museum.

Feb. 28. Today we have had a very severe snow storm, so that we have had to keep the house the most of the time.

Feb. 29. Today is Sunday. I have not attended church today. Stopped in my room most of the time.

March 1. Today we are aboard of the ship Samuel Appleton, and have been towed out about 10 miles. The wind is so strong that we have dropped anchor. There is a good deal of dissatisfaction among the passengers. We have held indignation meetings, and to pacify us the Captain has sent ashore and got another stove. It is very cold.

Mar. 2, 1852. Today we have laid at anchor. There is great dissatisfaction among the passengers. There is nothing to eat but hard bread and tainted meat.

7. Josiah Gilman was a cousin of the Bixbys—a son of David Gilman and Lucy Bixby. See *A Genealogy of the Descendants of Joseph Bixby, 1621-1701*, 546. Reuben and Amasa Gilman were brothers of Josiah.



Course of the ship "Samuel Appleton"
March 1, 1852 to July 21, 1852

March 3. Today we weighed anchor about 6 o'clock a. m. Wind is fair and we made a good start on our long voyage. The wind is strong and the ship rolls badly. I am very seasick.

March 4. Today I am yet seasick and I have no appetite to eat anything. Wind fair and we are making about 10 knots an hour.

March 5. Today I am no better. It is very rough, but the wind is fair and we are making good headway on our long journey.

March 6. Today is rough. The wind is blowing a gale and we are under double reef top sail. Last night potatoes, plates and barrels were rolling from one side of the cabin to the other.

March 7. Today, Sunday, we have a sort of a meeting. A chapter read in the Bible and a sermon read. The wind is fair today.

March 8. Today makes six days since I have eaten anything except a little gruel. I vomit up everything that I eat.

March 9. Today I am quite smart. I have got over my seasickness. It is quite calm and pleasant today.

March 10. Today we have a strong wind and the vessel rolls as bad as ever. I am as seasick as ever.

March, 11, 1852. Today is pleasant. We saw a whale. Duff for dinner.

March 12. Lat. 30, Long. 39. Today there is excitement. There was a flying fish on board.

March 17. Lat. 16, Long. 28. Today is very pleasant and the winds are very light. It has been very rough since we left port and my seasickness has been rather severe. We have had very strong winds and the vessel rocked very badly. Our food has been poor and poorly served up. Today is the first day that has been comfortably warm. We are expecting the trade winds tomorrow.

March 21. Today the ship Sea Nymph sent a boat aboard of us. Their chronometer had stopped and they came aboard to get the time. It is warm and almost a dead calm.

March 24. Lat. 5°, Long. 28°. Today we have had a good wind and are getting along finely. We are getting near the Line. The weather is warm but not oppressively hot.

March 25. Lat. $2^{\circ} 40''$, Long. 25° . Today we have had quite a rain. We have caught a few casks of water.

March 28. Today we cross the Line in Long $27^{\circ} 30''$ at 11:30 a. m. It is Sunday. We had singing and a sermon read.

March 31. Today we have a good wind again and are moving along finely. We have had very light winds for the last fortnight. We did not have any of the trade winds north of the Line. It is rather dull business to go to California in a sail vessel. We have the most splendid evenings that can be imagined.

April 5. Lat. 10° south, Long. 34° . Today we have seen land from the masthead. The first that we have seen since we have left Boston. The Captain supposed that we were 150 miles from land. We saw some catamarans near the shore. The winds are light and we are making slow progress.

April 8. Lat. $13^{\circ} 30''$. Today we have a dead calm. The Captain has launched the quarter-boat and taken the cabin passengers out on a row.

April 17. Lat. 23° , Long. 37° . Today is the first day that we have had a fair wind since the 7th of March. We have seen three sails today.

April 20. Lat. 28° , Long. 42° . Today we are becalmed again. We have given up the idea of making a quick voyage. We see a number of sails off the coast of South America. I have lost flesh so fast that I am poor as a lantern. Going to sea does not agree with me at all. I have been seasick most of the time since I came to sea.

April 26. Lat. 35° . Today we are becalmed again. Yesterday we had strong head winds. That is about the way we get along, one day of fair wind and two or three days of head winds or calms. There was quite an excitement on board today, caused by the catching of a shark. He was a young fellow about 8 feet long.

April 28. Lat. 36° , Long. 54° . Today we have fair winds. We saw some whales spouting off quite a distance. There [are] quite a lot of sails in sight of us today.

May 1. Today we have a strong head wind, sailing under double reef top sails. The sea is very rough. We feel quite

encouraged. The weather is very pleasant, about like our November weather at home.

May 2. Lat. 45° . Today we have head winds and a heavy sea which prevents us from making much headway. One of the sailors fell from the gallant yard this morning, a distance of 120 feet, without injuring him much. He struck in the clew of the main sail that threw him on the deck.

May 3, 1852. Lat. 47° , Long. 62° . Today we have a good breeze. We saw plenty of Cape pigeons. They came within a few feet of the vessel. They are the prettiest bird that flies. They are a little larger than a dove, of the purest white and black, all just alike. The weather is cold and pleasant.

May 4. Lat. 50° . The days are pleasant, the nights squally.

May 5. Lat. 52° . Today we have strong head winds. Some of the sailors knocked an Irishman down today. It made quite a stir among the passengers. Anything for a change or excitement.

May 7. Lat. 54° , Long. 64° . Today the thermometer stands at 42. We are becalmed near the shore. The mountains are covered with snow.

May 8. Lat. 55° . Today we made up to the Straits of Le Maire; the wind changed into the west so that we could not go through. The land scenery viewed from the vessel is grand beyond description. The mountains look like marble pyramids.

May 9. Lat. 56° , Long. 62° . Today we are running a south course snug on the wind. The sun rises about half-past eight. Twenty-eight miles make a degree of longitude here.

May 10. Lat. 57° . Today we made our most southern point. We tacked ship this evening in Lat. 58° , Long. 62° .

May 11. Lat. 56° , Long. 67° . Today is a cold, raw day. Thermometer 35.

May 12. Lat. 56° , Long. $67^{\circ} 30''$. Today we are lying off the coast of Magellan, becalmed. We are a little north of Cape Horn. The country is very mountainous and covered with snow.

May 13. Lat. 56° , Long. $67^{\circ} 30''$. Today is cold and squally.

May 14. Lat. 58° , Long. 68° . Today we have a fair wind and shall clear the Horn. After the calm we had a head wind that drove us back around the Horn. The wind came around fair this morning and we are all right.

May 17. Lat. 54° , Long. 75° . Today we have free winds. We shall leave the Horn without any more trouble.

May 19. Lat. $49^{\circ} 7''$. Today is pleasant. We have had a very pleasant voyage around the Horn. Weather has been pleasant for this latitude. One squall and a warm snowstorm is about all of the storm that we had and it has not been very cold. Frank took a bad cold coming round the Horn and has been quite sick. It has taken some of the extra flesh off from him.

May 22. Lat. 43° , Long. 80° . Today the sea is rolling in heavy swells. The wind blows a gale. Last night it was the heaviest that it has been since we left Boston. We have made 10 knots an hour for the last twenty-four hours. One of the passengers caught an albatross today that measured 14 feet from the tip of one wing to the tip of the other.

May 25. Lat. $38^{\circ} 19''$. Today the sailors are taking out the anchor chain, ready to enter port.

May 30. Lat. $34^{\circ} 27''$. Today we are in sight of land, but the wind is not fair to enter port, so we have to lay back and wait for a fair wind.

June 2. Lat. 33° . Today we are entering the port of Valparaiso. The view, from the vessel, of the mountains is grand. They are of a dark brown color without any trees or shrubbery. The soil is a reddish clay. We dropped anchor about 2 p. m. and all hands went ashore. We got dinner at the Star Hotel, the first dinner that I have relished since we left Boston. We had a very good dinner and I felt much better.

June 3, 1852. Today we had to be on board by ten o'clock. We did not get any sleep last night. We stopped at the Star Hotel. We engaged two beds, but Dr. Getchel put a drunken fellow into our room and he made it smell so that we could not stay in it, so we had the privilege of staying up all night and fighting the fleas. Weighed anchor at 3 p. m. with a fair wind.

There was a Captain Brown smuggled out of port by some

of the passengers. Our Captain set him aboard of his own ship as soon as got out to sea.

Valparaiso is built on the spurs of the mountains without any regard to streets, except one or two on the beach, where all of the business is done, that look quite respectable. The rest of the buildings are poor and dirty. The mountains come down to the sea on the coast. There are rich valleys back. They bring their produce into the city from over the mountains on mules. The people do not seem to have much ambition. A few foreigners do most of the business. The working class is kept down by the nobility.

June 8. Lat. 30° . Today we think we have got the south-east trades. The wind is strong and we are going 10 knots an hour.

June 10. Lat. $25^{\circ} 40''$. Today we are becalmed again. We have not taken the trades yet.

June 12. Lat. $22^{\circ} 53''$. Today we probably have the southeast trades very lightly.

June 14. Today we are moving on quite smart. The wind is increasing quite fast.

June 17. Lat. 14° . Today we have had quite an excitement. The Boston boys celebrated the Battle of Bunker Hill. The Fantastic Guards were out with a band of music and marched around on deck for an hour or so. We had an election to choose a President of the United States. The Democrats ran for Dodge and Butler; the Whigs for Webster and Corwin; the Free Soilers for Hale and Giddings. The votes counted:

Democrats.....	107
Whigs.....	81
Free Soil.....	41

June 20. Lat. $10^{\circ} 32''$. Today it is warm and pleasant, with a good breeze.

June 23. Lat. 7° , Long. 106° . Today the second cabin passengers were put on an allowance of two quarts of water, and so were the steerage. Sailors on three quarts. The first cabin passengers not on an allowance.

June 26. Today at 10:30 a. m. we crossed the Line in longitude 100 with a good breeze. It is not uncomfortably warm. It is very pleasant.

June 30. Lat. $11^{\circ} 30''$, Long. 113° . Today we have fine breeze. In the last twenty-four hours we have made four degrees of latitude, the greatest day's sail that we have made.

July 5. Lat. $17^{\circ} 28''$. Today we celebrated the Fourth. About four o'clock this morning the passengers commenced firing guns. At eight o'clock the cannon was fired without the consent of the Captain. He came on deck in a passion and asked the Mate what it meant. The Mate said that he did not know, but a few words passed between them before the Captain discharged the Mate. The Appleton Fantastic Guards were out in full uniform today. A ball came off this evening. Several of the ladies got drunk and went into the cabin and sauced the Captain. There was a good deal of dissatisfaction felt by the passengers because the Captain would not have the flag hoisted or let them fire the cannon. We had a sea pie for dinner and had our allowance of water increased a pint a day.

July 8. Lat. $23^{\circ} 29''$. Today is cloudy and cool. The Captain has put the Mate on duty again today.

July 10, 1852. Lat. $25^{\circ} 45''$. Today we take the northeast trades, fresh. The winds have been light for a few days.

July 15. Lat. $34^{\circ} 38''$, Long. $138^{\circ} 29''$. Today we tack ship. We have been running snug on the wind ever since we took the northeast trades.

July 21. Today we are in San Francisco Bay. We have dropped anchor, but do not go ashore till tomorrow morning.

July 22. Today we stopped in San Francisco and this evening we took the boat for Sacramento. We arrived here in good health and in good spirits. We lived poorly but the passengers enjoyed remarkably good health, but two passengers being sick on the passage. It was 140 days from the time we left Boston till we arrived in San Francisco.

July 23. Today we are in Sacramento. It is so warm that we can scarcely move. Most of the passengers are here, scattering in every direction for the mines.

July 24. Today we are on the way to Volcano. We took

the stage to Jackson and then footed to Volcano. In the night we camped down when within half a mile of town.

July 25. Today we arrived in Volcano. We found Llewellyn⁸ and Amasa well. The prospect for mining is dull, but our courage is good and we shall go to work.

Aug. 1. This week we have been prospecting in Soldier's Gulch and have drawn out a few loads on the flat to dry.

Aug. 8. Jotham and I have taken up a claim on the South Branch this week.

Aug. 14. This week Jotham and I have bought a mule and cart. We are drawing out dirt and piling it up to wash out next winter.

Sept. 30, 1852. We have quit our claim on the South Branch. We think that we have taken out dirt enough to get \$500.00.

Oct. 1. This week Amasa, Jotham and I have been to Butte City prospecting. We made enough to pay our expenses.

Oct. 15. This week I built a granery for the butcher shop.

Oct. 23. Today Amasa and I came to Cedarville and bought a claim. We paid \$75.00 for it.

Oct. 26. We moved over from Volcano today.

Oct. 28. Today is a rainy day. The first rain that we have had this fall.

Nov. 15. Frank has gone to Hangtown today with Reuben Gilman. We have taken out of our claim \$150.00.

Dec. 4. It has been very rainy this week. Made \$22.00 this week.

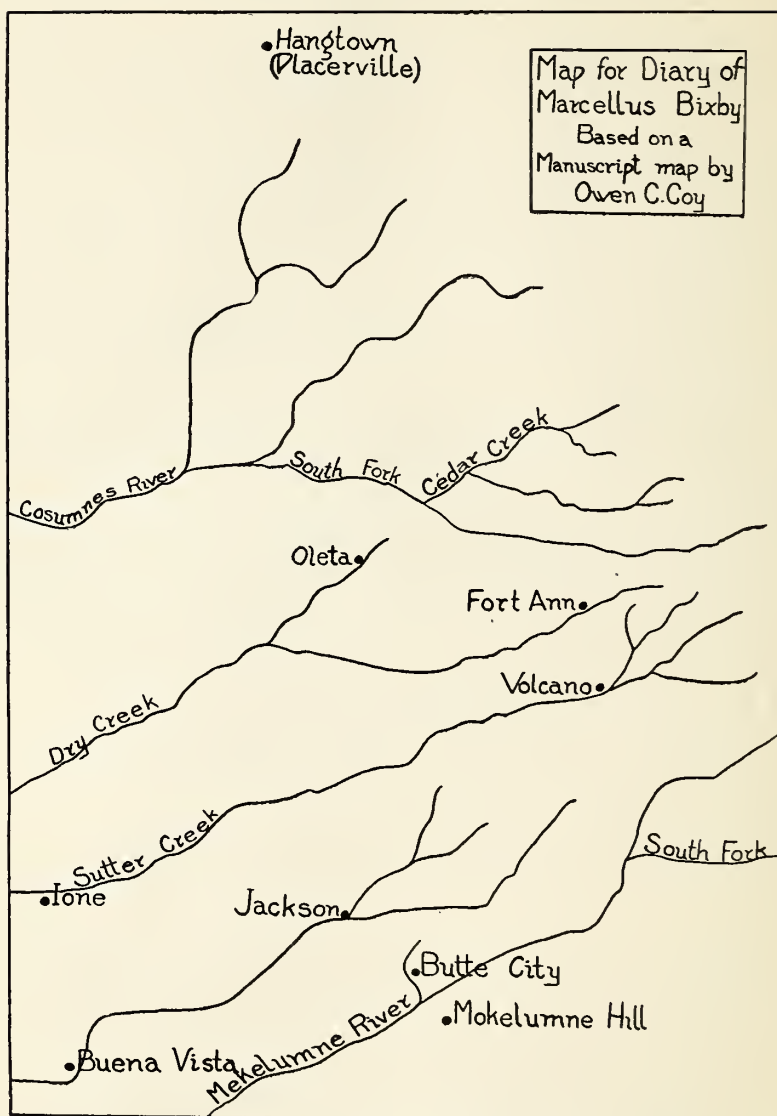
Dec. 11. It has been cloudy most of the time this week, but not much rain. Divided claims with Mr. Torry this week.

Dec. 18. We had 18 inches of snow the first of the week and a heavy rain the last that took it off.

Dec. 25. The weather has been squally most of the week. We have had two feet of snow this week. Lewellyn was here to see us this week before leaving for home. Amasa went over to Volcano with him. Made \$34.00 this week.

January 1, 1853. It has rained most of the time this week and has carried the snow all off. Made \$24.00 this week.

8. Llewellyn Bixby had come to California in 1851 with Dr. Thomas Flint.



Jan. 8. I have been over to Volcano this week. The weather was fair the first of the week, rainy the last. Made \$32.00 this week.

Jan. 15. We paid \$11.00 for 22 pounds of flour this week. Sleet the first of the week, cloudy the last. Made \$50.00.

Jan. 22. The weather has been fine all of this week. Made \$24.00 this week.

Jan. 29. A little rain this week. Made \$9.00.

Feb. 5. Fine weather this week. Prospected most of the week without finding anything. We bought a claim this week from Mr. Denham for \$75.00. Made \$6.00.

Feb. 13. We have prospected again this week without any better success. Jotham and I have been to look at a ranch on the Cosumnes. Frank was here this week from Hangtown. Made \$8.00.

Feb. 19. The weather has been fine most of the week. We have bought three claims. We paid \$300.00 for them.

Feb. 26. A heavy rain this week.

March 5. Pleasant this week. Divided, \$42.00 my share.

March 12. A very heavy rain this week.

March 19. Rained Thursday; \$34.00 this week.

March 27, 1853. Pleasant this week. Made \$42.00.

April 3. Rainy the first of the week. Thursday I went to Volcano and back again. Made \$17.00.

April 9. Fair weather this week.

April 16. Two rains this week.

April 23. A heavy rain this week. Division this week, my share \$100.00.

April 30. A snowstorm Friday. Amasa went to Volcano Monday. He had a hard time getting back Friday. He got lost in the snowstorm.

May 6. Fine weather this week. Made \$48.00.

May 14. We have had quite a rain this week. I have been quite sick this week and lay still two days.

May 21. We have had heavy thunder this week, but not much rain. \$50.00 this week.

May 28. I have been to Volcano this week. Took a new route over the hills.

June 4. A little rain this week. Made \$50.00.

June 11. Mr. Jones left this week. We paid him \$15.00 for his claim. \$50.00 this week.

June 18. It has been very warm this week. Jotham cut his hand on Amasa's shovel. Made \$50.00.

June 25, 1853. Amasa has been to Volcano this week. He lost his way coming back and staid out all night.

July 2. It has been cool this week.

July 9. The Fourth I made \$14.00.

July 16. Amasa to Volcano this week.

July 23. Sunday we had a sprinkling of rain. It has been cloudy this week.

Aug. 7. The weather has been cool and pleasant.

Aug. 14. Frank was to Volcano.

Aug. 21. Pleasant this week.

Aug. 28. Cloudy, muggy and warm.

Sept. 3. Jotham to Volcano.

Sept. 10. I have been laid up a day and a half with rheumatism this week.

Sept. 17. Wednesday we had quite a shower. Mr. Camp commenced to work for us today.

Sept. 24. Pleasant this week.

Oct. 1. Amasa to Volcano. He had remarkably good luck in getting papers.

Oct. 8. Very pleasant weather this week.

Oct. 15, 1853. It rained a little Saturday.

Oct. 22. Paid Mr. Camp off this week.

Oct. 29. I went to Volcano and got seventeen papers.

Nov. 5. Pleasant this week.

Nov. 12. Tuesday was rainy. The first this fall.

Nov. 19. Pleasant this week.

Nov. 26. Paid Amasa Gilman off this week. Heavy rain Friday and Saturday.

Dec. 3. It has been fair this week.

Dec. 10. Rainy the last of the week. Saturday we lay still.

Dec. 17. Pleasant this week.

Dec. 24. Snow and rain Saturday.

Dec. 31. I have made \$2000.00 this year mining. I have paid out \$500.00 for expenses.

Jan. 7, 1854. The new year has come in very pleasant. It has been very pleasant this week.

Jan. 14. We have had a very heavy rain this week. It

commenced to rain Thursday morning and rained till Saturday morning.

Jan. 21, 1854. We have had about four inches of snow this week. It has been very cold. I let Mr. Nims [Nimms?]⁹ have one hundred ounces of gold this week, \$1,750.00.

Feb. 4. We were taken very much by surprise by Ben Flint making his appearance at our cabin door just at dark, with J. P. Jones. We supposed that he was at Salt Lake. He reports that they have just arrived at Los Angeles with their stock; that Llewellyn and the Dr. are well and lively.

Feb. 11. Amasa was over to Mokelumne Hill this week.

Feb. 18. Cold this week.

Feb. 25. Very rainy this week.

March 4. Rainy this week.

March 11. Pleasant this week. Jotham to Volcano.

March 18. Rainy the last of the week.

March 25. Pleasant this week.

April 1. Fair weather this week.

April 8. Mr. Nims was here Tuesday. I let him have \$140.00 at two per cent per month. We got him \$500.00 from the Gilmans and let him have at three per cent per month. Friday Mr. Mace was here. He brought a letter from Flint, Bixby & Co. They want more money.

April 15, 1854. Rain this week. Saturday I was at Fiddletown.

April 23. Heavy rain this week.

April 29. Heavy rain this week. We laid off Saturday.

May 6. Fair this week.

May 13. Rain Saturday night.

May 20. A heavy thunder shower this week. The weather is cool. Frank went over to Stoney Gulch to work Monday.

May 27. Warm and pleasant this week.

June 3. Cool this week.

June 10. Pleasant this week.

9. Warren Nims, who, with Charles Stone and Fletcher Baker, had bought a ranch which had belonged to Theodosia Yorba (1840). In 1852, Nims had the western half of the tract, located in Jackson Valley, about six miles from Ione. Thompson and West, *History of Amador County*, 204-206. Dr. Bixby states that Nims is spelled with one "m."

June 17. Showery this week.

June 24. Pleasant this week.

July 1. Pleasant this week.

July 8. Very hot this week. On the Fourth we took dinner up town at 9 o'clock a. m.

July 15. Hot weather this week.

July 22. Cool and pleasant this week.

July 29, 1854. Lewellyn made us a visit this week. We were very glad to see him. We let him have \$800.00.

Aug. 5. Pleasant this week.

Aug. 12. I took a trip up into the Northern Mines this week to see what the prospects were for mining.

Aug. 19. Today I went down to Mr. Nims to see if I could get my money of him. It was no use to try, so I gave up the idea of going home this fall.

Aug. 26. Cool this week and a little rain.

Sept. 2. Pleasant this week.

Sept. 9. Amasa has left for home and Jot. and I start on a trip up north.¹⁰

January, 1855. It commenced to rain in good earnest the last day of December; the first we have had this winter.

Feb. 13, 1855. We came onto the ranch today.¹¹

Feb. 20. Commenced to sow wheat.

March 9. Finished sowing.

March 20, 1855. Left for San José.

April 20. Arrived from San José.

May 4. Commenced haying.

May 11. Rainy.

10. No entries made during the months of October, November, and December, 1854.—E. M. B.

11. This ranch was taken for the money loaned to Mr. Nims.—E. M. B.
A letter written by Mrs. Marcellus (Amanda) Bixby from San Juan Bautista, in San Benito County, under date of December 16, 1857, to a sister of Dr. Thomas Flint, says: "Last week we moved, so here we are housekeeping, well, contented and happy . . . Jotham left here yesterday for Ione. He and Marcellus have purchased about 1500 sheep at five dollars apiece. I expect [them] to remain at Ione about a month longer. They employ a man to herd the sheep. We have a very convenient house for California, consisting of a kitchen, parlor, three sleeping rooms, two clothes closets, a pantry, two piazzas. Jotham sold all the furniture with the house, so we have to buy all new. I went to San Jose with Marcellus to select furniture . . . We have enough of everything to make us comfortable, and in much better style than I expected, too . . . The girls all seem very happy and so do your brothers. . . . Where did you spend Thanksgiving? We were at your brothers'. Had a very pleasant time. It reminded me of many family gatherings we have enjoyed at home. When shall I have the privilege of meeting you all again, is a question that often arises. Before many years, I trust . . . (Signed) Affectionately, M. A. G. Bixby." The original is in the possession of the son, Dr. Edward M. Bixby of San Francisco, who has also supplied the notes signed "E. M. B."

- June 17. Finished haying.
July 6. Finished cutting grain.
May 14, 1856. Commenced haying.
May 21. Rainy.
June 5. Finished mowing.
June 11. Commenced to cut barley.
July 19. Finished drawing hay.¹²
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12. The above is the last entry in the book. In the fall of 1856 he returned to Maine and remained there till the fall of 1857. He was married Aug. 31, 1857, and returned to California with his wife via Panama.—E. M. B.

THE REMARKS OF MAJOR FREDERICK R. BURNHAM¹

A few days ago Mr. Ellis came to see me and said: "Do you know that I belong to a little historical society here in Los Angeles, and we are all very much interested in the early days of this community? Wouldn't you like to come down and give a little talk, or a speech, or make small medicine of some kind for them?" I offered many objections, as speaking is not in my line. His reply was, "Well, this is just one family and we will sit around the table and re-live the events of the old days as we remember them." We conversed for some little time and he told me that the tales I was relating to him were so vivid he felt the members of this society would be interested in them also. So tonight there will be repeated some of the events I told Mr. Ellis.

My own birthplace was in Minnesota, among the Indians. Our family came to California while I was a small boy. Our voyage down the coast was aboard a little, old paddle wheel steamer whose port was Wilmington, now San Pedro. The country seemed rather barren, with only herds of cattle and horses and a few ranch houses, until we reach the Pueblo of Los Angeles. We stopped at the old United States Hotel on Main Street. The first thing that struck my youthful eye was the towering flagpole in front of the hotel, the tallest I had ever seen. Right there I determined to climb that flagpole. Probably the climb would have been successful had not a roughneck barkeeper caught me by the ankle and pulled me down, saying, "Here, sonny, you are too young to climb that pole."

That was my first introduction to Los Angeles. But I have climbed several poles since, and there was no barkeeper to pull me down.

1. Given at the monthly meeting of the Historical Society of Southern California, May 3, 1927. Major Burnham came to Los Angeles as a boy in 1870. His years in the West were full of action including experiences as cowboy, scout, miner, and deputy sheriff. In the nineties he found still more stirring events in South Africa as scout and soldier in the Matabele Wars and as Chief of Scouts under Lord Roberts in the Boer War. Since that time he has made numerous explorations in both Africa and America. He is the author of a book entitled *Scouting On Two Continents*, (Garden City, Doubleday, 1926).—J. C. P.

There are many of the early pioneers of Los Angeles for whom we all hold a warm spot in our hearts, but somehow in later years a conviction has grown upon me that there is a false conception of those men now presented to the public. I think that many of those real constructionists, men who were truly the founders of this country, were a more quiet and forceful sort than commonly believed to be, and about ten thousand miles removed from what we now see on the screen as the old-timer.

Among the pictures of those men, worthy of record in our histories, are men like General John Phineas Banning; I think he was the first great pioneer who realized that San Pedro would be a world harbor. He told everybody that, but no one believed him. We were all landmen. We turned our eyes toward the mountains, looking back over the trail of the covered wagons to the East. We thought of the ocean as being worthless because it was very salty, and many of us looked upon Banning's idea of a harbor at San Pedro as a pipe dream. I hope that the spirit of General Phineas Banning, rugged and virile, is somewhat about us now, where he can see the great steamers passing in and out of that harbor every day, to all the seaports of the world.

H. K. W. Bent was another pioneer of wide vision, whose splendid sons carry on the best traditions. One of them, Arthur Bent, as you know, was president of the Los Angeles Chamber of Commerce, with its wonderful organization and this spacious building, under whose roof-tree we are now sitting. The sons have built the father's visions into concrete and steel on every river in California, yet have kept their father's kindliness of heart.

Writ large on the page of memory is the name of Senator Jones. He came from the little sage-brush state of Nevada. He developed the great lead and silver mines of Cerro Gordo. All the charcoal they used in the smelters had to be burned in the mountains and dragged down by ox teams. The ore had to be freighted to Owens Lake and rafted across to a place called Olanche. From there it was put on mule teams and freighted to San Pedro. Nadeau was the great freighter in those days, and as regularly as the clock struck, sixteen and

eighteen mule teams were started across the Mojave desert with its burning sands, then over rugged mountains, and finally down to San Pedro. There the bullion was put on ships that sailed around Cape Horn to Swansea, England, where the lead, silver, and gold were separated.

Senator Jones decided to build a railroad of his own, because the Southern Pacific did not give him the right freight rate. His initial effort was called the Independence Line. There was a wonderful little white station with cupolas on it, situated on a corner of San Pedro and some other little street whose name I have forgotten. That line finally ended at Santa Monica, where Senator Jones was going to establish a new harbor and then extend that railroad across the desert to his mines. Eventually he had the dream that he would build it across the Rocky Mountains and form a new transcontinental line. About the time his dream took tangible form, the ore gave out in the mines, as it often does, and the Southern Pacific finally got a mortgage on this streak of rust and took it away from Senator Jones; but they forgot to take a few thousand acres of then worthless land along the ocean front which is now the city of Santa Monica. This land made Senator Jones millions in later years. His experience with land was very similar to Luck Baldwin's.

When I was a messenger boy for the Western Union, they used to keep four horses ready for me, under saddle all the time. I rode them each day, very hard. Sometimes I delivered messages to Santa Monica, Anaheim, and all the various towns around this part of the country. One night a message was given me to deliver in the San Gabriel Valley at what is now Lucky Baldwin's Santa Anita ranch. It was the final word that closed the deal for the ranch and the adjoining lands. Lucky Baldwin paid a dollar and a quarter an acre for it, and it was these ranches that left the estate worth twenty million dollars when he died.

These are but a few of the names of strong men whose doings stand clear on memory's page. They did their part in the building up of this great country. It was through their efforts that we are here now under the circumstances that we are, and it is a very great pleasure to me to think that so

many of you in this roaring city would be interested enough to come out tonight to hear a few of my tales of the olden days.

The founding of Pasadena holds in my boyhood memory a clear picture. Always in the foreground there is a spectacled, worried looking man, with his hands behind his back, walking up and down in front of the Clarendon Hotel. Somebody pointed him out and said, "That is a Yankee from Indiana, a Mr. Berry, formerly a school teacher, and he has bought a portion of the Garfias Ranch from a man named Wilson, who lives near San Gabriel." Somebody else said, "Well, that Yankee is bilked. They charged him a dollar and quarter an acre for the ranch." Another said, "Oh, it is worse than that. He paid five dollars an acre for some of it, and there is no water anywhere near and they can do nothing with the land." What they and their successors did was to build the city of Pasadena on this land.

The shortage of water mentioned in regard to Pasadena recalls that in the old days we firmly believed there was not enough water here in Los Angeles for the two thousand Americans and five to seven thousand Mexicans and Spanish. Every once in while, especially in the late summer, we had a killing because somebody went up the river and destroyed another's brush dam that had been put in to divert the water. We had legal battles about water then, just as we do in this day. Yet there are now over a million of us in the old pueblo and we seem to have more water than we had then. Perhaps some of the problems that now confront us will likewise dissolve as completely for our children.

Mr. Ellis inquires, "How did you handle the bad man?" In the early days, when crimes were committed, we had few telegraph lines and made little use of the ones we had. It seemed impossible to catch a criminal with all these deserts around us, horses everywhere, and no means of getting knowledge of a crime out beyond the range of the murderer.

An incident concerning this may shed light on the problem. Harris was one of the men who afterwards took part in the capture of Vasquez and was looked upon as one of the greatest detectives in the West. A murder was committed in San Francisco and they sent for him. After he returned, a few of us

were together one night, when the conversation drifted along that line, and we asked him how he found it possible to locate a murderer in a great cosmopolitan city like San Francisco. San Francisco was looked upon as an enormous city in those days. Its population was about 170,000 and contained representatives of all classes, sailors, trappers, hunters, miners, and a sample of nearly every nation in the world. It seemed impossible to us that he could find a criminal in a city like San Francisco.

Harris told us this was accomplished by the use of a little common sense. In the first place, when a crime is committed, it is by either a man or a woman. Almost surely there will be some mark to show which it is. Immediately you cut the world in half. Half the population need not be considered from that time on. You next naturally eliminate the very old and the very young. It is not likely that they would commit a crime. Perhaps the latter would not apply to these days, but it did then. So, by a very quick process of elimination, it only takes a moment or two to narrow that crime down to one of a very few people. In this particular instance it was a woman that was killed. There had been a fight in the room. The man had reached up and put his hand on a shelf. Harris was clever enough to note that mark of the hand in the dust on the shelf, and saw it was not the print of a man's hand which had been *reaching* up on the shelf, but had *clutched* the shelf to support himself, showing there had been a struggle.

Then he discovered that the man wore a number ten shoe. The number of men who wear a number ten shoe is rather limited. By careful examination he soon narrowed it down to a few men, and soon he found a strand of hair and realized that it was a white man. Then he discovered where the man had taken a wide, rolling step on leaving the premises, and he knew that the man was a sailor. Had he been a miner or plainsman he would have walked more as an Indian walks. The number of white sailors wearing a number ten shoe, even in a great port like San Francisco, was quite limited, so in a very few days Harris, with the assistance of local police, caught the murderer in San Francisco.

Recalling other incidents of the old man hunters and

sheriffs, Carillo, Harris, Mitchell, old Billy Rowland and some of the other sheriffs; they had a certain method by which it was almost impossible for a criminal to get away. The following incident may roughly explain it:

A man had been killed on Bath Street. The murderer's name was Chavez. He was part white and part Mexican, or part Mexican and part Indian. Immediately the news came to Carillo, he sent several of us boys to notify the outposts. He sent one of us to the Sterns Ranch, which was then the ranch of the Lugo boys, all of them wonderful horsemen, upstanding, brave men, and the instructions he sent were: "Look out for so and so," accompanied by a brief description. He sent a man to San Gabriel and another to Anaheim. He sent a man to General Banning at Wilmington. He sent another to Captain William Tell, who kept a station at what is now called Playa del Rey, which was then known as Tell's Landing. He sent two more men up the river, one up to the Arroyo Seco and the other to La Canada, and in a very short time this whole section was ringed with men on horseback and other men on the high peaks as lookouts, and no one could escape their combined scouting. Then, taking his deputies inside this ring, they finally located the culprit in a rancheria that was built just beyond what is now Elysian Park, and near the location of the pigeon farm, so famous in later year.

One of the deputies knew that a relative of Chavez was living there and was confident that this would be his final hideout. Knowing this shack was visible from a certain point on the bluff, he put men higher up on the hills to watch that point. He then rode to the shack and opened conversation with the old woman who was making tortillas and smoking cigarettes. Everything was pleasant all morning and all afternoon. Indians and Mexicans were constantly passing. Everything was quiet. The officer sat there and talked. Along in the afternoon, his men, who were watching, expected the murderer to crawl out on this point to see if everything was clear for him to go to the shack. They thought he would climb out on one of these observation points for a look around. But he did not come.

Late in the afternoon, as the officer sat there, he noticed

a little bit of ash drop in front of him. Instantly he knew what had happened, but did not make any sign. He went away and called his deputies and surrounded the house, and shouted for Chavez to come down off the shed under which the officer had spent the day. Chavez came down and, like many others, was sent to Clancy's Jail. We did not call it the County Jail, but "Clancy's," or often "Mrs. Clancy's boarding house."

This is what had happened. On the roof of this shack Chavez had had his relative shock a lot of corn, as is the ordinary custom of the country, and then secreted himself snugly on the roof under the corn, looking down through the cracks. He was comfortably hidden. Late in the afternoon, however, he needed a smoke so badly that he lit his cigarette. But he wasn't careful enough to prevent the ash from dropping down in front of the officer.

I used to hunt along with Nadeau's freight outfit between here and Cerro Gordo. All of this country was familiar to me. With my horse and gun, I would disappear into the mountains for weeks at a time. Some of this knowledge thus gained slowly was carefully stored away. It was of service afterward under the Southern Cross and many flags. The desert scouts were rather silent men, yet if they "took a liking to you" would spend hours in explaining the simple art of survival in these waterless wastes.

The oil fields at Newhall, then known as Lyons Station, left a vivid impression upon me. After hunting in the mountains for deer all day in the hot sun, I came down to the pools at night and found there a film of oil and many dead insects, frogs, mice, and other small life that had fallen into the oil and died. I thought to myself, "What a terrible country!"

Later I met in Los Angeles Doctor Gelsich, a German professor, a wise looking scientist, who invited the Los Angeles citizens to the Methodist Church to hear about the oil resources of the country. There were only about twenty of us present. I listened to his lecture on the oil fields which he declared existed around Lyons Station. He explained to us how it could be refined and told us many things that later came true. If I had the time I could almost repeat that lecture

of his word for word. He had made a deep study of it and did his best to interest us, but our minds were dumb.

It makes me think of the day when Senator Warner Miller of New York tried to tell us about the Nicaragua Canal and the Isthmus Canal. In the whole city of San Francisco there were only about forty citizens present to listen to him. Our minds were again dumb. Now we have many meetings about bringing in the Colorado River. If we don't control that river, we will have a great valley of death. Are we still dumb?

One of the interesting characters in the early days was Don Pio Pico. I shall never forget an incident that happened when I was a small boy. The old Don was a fine looking man, I think past eighty at the time. He was standing on the steps of the Pico House. An Indian beggar stepped in front of him, a small, old, diminutive man, wearing a towering, broad-brimmed sombrero. With a beautiful bow and a sweep of the sombrero, he said, "For the love of God." Old Don Pio Pico made a very polite bow, as if he had just met a senator from Washington, and from his pocket he took a handful of silver and held it out to the beggar. The beggar only took the smallest coin, a ten-cent piece, made another low sweep of his hat, and said, "The grace of God be with you forever." Then he walked away. Old Don Pio Pico bowed as if he had met a friend, performed a duty, and then passed on.

That little courtesy, the manner of it and the whole incident, has left an indelible impression upon me of Don Pio Pico.

There was a time in my life when I was stranded in New Mexico. There were five hundred miles of Indian country in front of me. I had been a little careless and let the horse thieves steal my horse, so I had to make that five hundred miles through to Prescott on foot.

When I came to the Little Colorado River, where the Mormons had established a colony, I found a canal full of cold water, about twenty feet wide and four feet deep. I tried to wade across it, but couldn't. I was walking up and down to find an easier crossing, when a Spaniard rode up to me on the opposite side and said, "Would you like to cross?" I said, "I would, very much." He said, "Take my horse," and he threw

the rope to me, and I pulled the horse across and threw the rope back to him, which enabled him to assist the horse and me up a nearly vertical bank.

Of course it was not customary to ask anybody his name or where he came from. It was not considered polite. But in this instance I thought I would infringe the etiquette of the frontier a little. There was something strangely familiar about him. He told me he was a nephew of Andreas Pico. I told him that I was a Los Angeles boy myself, and said, "Give my kind regards to the Picos, and many thanks." With that I turned away through the Mogollones and Sunset Pass on the long trail to Prescott. That was the last meeting I remember having with any of the Andreas Pico family. It may be that there are some of their descendants here tonight. I hope there are. I hold for them the kindest memories.

There was another character here in the old days, Manuel Carillo, the policeman, a powerful man. One day in front of the old Downey block, one of our then Exhibit "A" buildings, and the cause of much civic pride, there appeared a great, tall mountaineer from Kentucky or Tennessee. He had come to this country where wine was as free as water and had taken on a gallon too much, which made him feel so good that he thought he would have a little rough house. He didn't want to murder anybody, but he would just like to have a fight. So he started in to clean up the town, beginning at the corner of Temple and the Downey block. The old timers considered themselves pretty husky in those days and objected to anybody coming in from the outside to clean up the town. Several of them took him on. In fact, too many took him on at once. He did pretty well for a half block. Some he threw bodily into the street. Others were worthy of a blow from his huge fist and some he simply gave one swift kick. Finally some quitter blew a police whistle and Manuel Carillo came down. I was standing around on the edge of the crowd, like a boy will, just trying to get close enough to see what was going on, when I saw Carillo do exactly what good football players do today. He did not want to kill the man. He saw that the man was not a murderer, but was just out for a good time. However, he was having it in such a way that he must be

taken care of and lodged in Clancy's old adobe jail on Spring Street. He sprung a low tackle and caught this big mountaineer around the knees, and down he went like a tall pine in a storm. The others hopped onto him and they took him away, clinging to him like ants to a long straw. He got good food from Mrs. Clancy, while Clancy told him funny stories, and the judge gave him a small fine and a very long lecture on deportment. The old pueblo again dozed peacefully in the sun.

At another time, riding very hard on a saddle that did not fit me, or fit the horse either, I was coming down Fort Street, which is now Broadway, when Juan Carillo, Manuel's brother, came along and, stopping me, said, "Sonny, that saddle doesn't fit you. You are ruining the horse and wearing yourself out. Come down to my barn with me." He gave me a good saddle that I rode as long as I was in the service of the Western Union Telegraph.

Speaking of the Western Union Telegraph: Upon its completion to Los Angeles many of the old timers objected very strongly. They claimed the Western Union got the money from the people to build the wire across the desert to San Francisco and the drifting sand would cut the poles off; also that nobody had any use for a telegraph anyhow, excepting to announce a death. They wondered how the shareholders would get their money out of it, and looked upon it as an extravagant luxury and a swindle of the investing public.

The superintendent in those days was Mr. Haynes. The operator was Mr. Shepard. Many days I was in the saddle sixteen hours and regular hours were from seven in the morning until ten at night. They had another boy, but his horse ran away with him, dragging his head on the roadway for a couple of blocks, so he concluded that he was not built for a messenger and resigned.

In 1876 an old woman was sent to the Centennial Exposition. The officials wanted to make her comfortable for the trip. She was 135 years old and believed to be the oldest living human being. They had the baptismal records at San Gabriel Mission to prove it. When she returned after the unheard of trip to Philadelphia, there was a reception committee to do her honor. She would not ride in the carriage provided, but

insisted on getting into an old careta drawn by oxen and thus have a real comfortable drive home, after the exhausting Pullmans and soft spring buggies of the East. So she sat flat on the bottom of the old cart and was hauled in state to San Gabriel to her little adobe near the big tunas. I think the old lady's name was Eulalia Perris. I remember seeing her in 1875.

Many of you will remember those two little houses built in octagonal shape that were known as the first college in California. They were just a mile or two outside the mission, and have only crumbled away in the last few years. They were built by a bishop of some cult or other, for cults seem to always thrive here. Many of us came for miles to see them. Some people said they were ordered built in that curious fashion direct by God. However, inside their walls the Mexicans and Indians were taught the three R's.

Nick Cavarubias was another character worth remembering, a man who rode the finest horses and one of the best judges of them I ever knew. One time he took me into a stable, or corral, and said, "Sonny, let me show you how to pick a horse. Don't look at the points of a horse like a veterinarian does, but look at him as if he were a man. Read his face. Look in his eyes. There you can tell the strength, courage and ability he may have."

He showed me horse after horse and told me the characteristics of each one of them, just as if he were looking at and talking about a man. I was much interested and remembered what he said.

Years afterwards, in Africa, I was called upon to make a foray into the enemy's lines. The men chosen to go with me were from the Eastern Province Horse. We had to invade the enemy's territory and do it without a base of supplies. The commanding officer said, "We are very sorry, but we cannot give you good horses. The only choice you can have is to go down the sick lines and among the discards and pick your horses from them."

That was a pretty hard layout to pick horses from to raid into the enemy's country. Fortunately, I found that the veterinarians, in picking out the horses for discard, had picked

them out according to pictures and points, weight and blemishes, instead of characters. There were many good horses there. Some of them had been condemned because they had only one eye, some because they had a splint on the leg; but when I looked into their faces, I could pick out the good, strong horses, and was so successful in the selection that we managed to bring back 500 head of much needed beef and 40 remounts. We had a three-day running fight with the enemy, and only two casualties on our side. I attributed much of our success to what Nick Cavarubias put into my head about horses when I was a small boy.

I have been asked to tell you a little about the kind of training required to become a scout. My experience on the frontiers of Arizona happened to come at a time when the great scouts of America, of that particular generation, were just about passing; names like Al Sieber, Archie McIntosh, Fred Sterline, Cibicue Charlie, Lee and many others. I happened to make friends with some of the great scouts under General Crook, and one particular man had served as interpreter and scout for Zachary Taylor when some of my ancestors went over the Rock of Chapultepec. He took me into the mountains and across canyons to the head of the San Gabriel, then out by way of San Gorgonio Pass, which is now Banning.

During my trips with him, night after night, he would tell me of campaigns and explain to me about the building of fortifications. He would show me with corn cobs and sand how forts were built by Vauban, and the meaning of military movements.

When I was in Arizona, there was an old scout whose family had been killed by the Indians and who himself had been touched in the head a little by the sun while crossing the deserts of Altar. During his lucid times he said he was looking for a young man who could learn some of the things he knew, before he passed on. Several of the boys tried. They were keen young fellows and anxious to get a knowledge of woodcraft. But when they went with him they found him impossible. In the evening, after the hot day, he would get so abusive that you could hardly stand it. Nothing you could do was right. When you pulled the saddle off a horse he would

curse and say, "Oh, you fool! Why did you put it down like that? Don't you know any better? Oh, my God, I never can teach you anything! You are a little ass. In the morning you go back home." But in the morning I did not go back home.

Yet at other times he would tell me the most wonderful things and show me the secrets of woodcraft. He had the keenest power of observation. He would show how, by dropping a little dust, you could discover a change of air. He explained how the cold air was like a river, the warm air along the ridges of the hills, the cold air in the depths of the canyons. That little trick saved us from a terrible massacre by the enemy in South Africa years later, when the odor of smoke from a great camp drifted down the kloof two miles or more to my nostrils.

A thousand things he told me. I could not remember all of them, but a few were stored away and used afterwards. He was a keen observer. I imagine had he lived in these times he would be among our great research workers. His power of deduction from very small things was astonishingly accurate. Take the track of a horse. He would study the four feet of a horse and learn them so thoroughly that he could let that horse walk through the tracks of five thousand other horses, and if he saw one of those tracks made by that horse, he would recognize it instantly, just the same as if I would concentrate my attention on one face and then, though I look at a hundred others, it would be easy to recognize that face again. By long experience you can drill your mind to carry the picture. You learn the individuality of each horse and you can learn the individuality of cattle just the same.

I have a partner who has a keen sense of observation. He has been with me all over the world and we have a ranch in the central part of the state of several thousand acres. On top of the mountains there are about twenty thousand acres of range, where a lot of stray cattle drift in. While we are riding along, many times he will say, "Fred, look over there. That steer doesn't belong here." They all look alike to me, but he will ride over and, sure enough, that steer is a stray.

Many times he will say, "See that calf? That is old Line

Back's calf. You remember, she was so and so." And so on, through a thousand head of cattle. He knows them just the same as a school teacher knows her own scholars in the class room. He knows the pedigree for three generations. It is that sort of knowledge and reasoning that makes the observer that is so valuable on the frontier, and it is those qualities for scouts which the generals of armies are glad to have in their commands.

One of the jobs sometimes given you, especially when you are in charge of commissary, is that of protecting the rear guard. The post of honor in many wars is the rear guard. In Africa our troops were at war with the Boers, who were very similar to our western frontiersmen and for that reason I felt at home among them. They would swing around behind the British camp at night and in the morning half of our oxen were gone, two-thirds of the mules failed to answer roll-call, and perhaps an ammunition train or two were blown up. So the men who kept guard of those cattle at night held a rather important position. It took the best men to do it. We found that by listening we could tell just about what was going on. If you take a hollow gourd or dish and put it on the ground and put your ear on it, you can go to sleep. The constant grazing of the cattle is all right, but the moment they stop or lift their heads the cessation of sounds rouses you, or if they step around rapidly the thud will be conveyed to your ear and you are up instantly. It is as plain as the ticking of a clock. You get up at once and round them up.

We found by using the old Indian tricks that our scouts could get sleep and rest and still keep the cattle from being stolen, and keep the mules and wagons from disappearing from the ammunition trains.

Mr. Ellis has asked me to name some of the old scouts on the Arizona frontier. Of course, in Minnesota I was too young to remember much about it. My mother and Buffalo Bill went to the same school at Le Claire, and he used to come to our house quite often. I remember him coming out and shooting holes through oak leaves on the trees, just to make the boys sit up and take notice of what could be done with a six-shooter.

Later on I met Al Sieber. Al Sieber had a strange and tragic death. After accomplishing wonderful things and being one of the really great scouts, in later years he helped to build the Roosevelt dam, using his old antagonists, the Apaches, as willing helpers. A piece of a mountain slid off and killed him, a strange ending for so famous a scout.

It was my good fortune to meet in boyhood General Crook, Colonel Jack Hayes of the Texas Rangers, and John C. Frémont, the Pathfinder, but I was too young to campaign with them.

In South Africa there was a scout known as Johann Colenbrander. He led Rhodes into the Matopa Mountains to offer peace and bring out the hostiles. He spoke the language perfectly, but it was a most desperate undertaking. A great deal depended upon the man who spoke the language of the country and knew its veldt lore and woodcraft. Rhodes told the hostiles that he would like to give them a real peace. Finally, after days of palavar, the peace treaty was made. Rhodes got up to make a final speech with all the chiefs before him and said, "We owe a debt to the great Johann. He is a wonderful scout and has done good service. His interpretation has been wonderful. Without it, we still would be seeking each other's blood. Now that all is peace and happiness, we should recognize the important part he played in this struggle."

One of the old chiefs got up and said, "Oh, yes. We know Johann. We knew him when he was a youth and we knew him as a fighting warrior. We know him now. He is the little tick bird that picks the ticks off the great rhinoceros." The old chief meant that Rhodes was the great rhinoceros, and he took that way of pointing out the difference between the two men. It was quite accurately portrayed by the old Kaffir chief. So none of us scouts should ever get proud of our positions or accomplishments.

The end of Johann was pathetic. A company came out from America to take motion pictures and insisted on Johann playing before the camera. The old man was broke as per usual and needed money. So they took him down the Tugela River and wanted him to show how the old scouts crossed it. He put his horse into the river and swam across. But that

was not the thing they wanted. It was not exciting enough. He must go into the foaming, white water, among the great rocks. He said, "Only a fool would put a horse in there." But the camera man insisted, and poor old Johann was over-persuaded and in his old age he plunged his horse into the riffles, was knocked down, and drowned. It made a wonderful picture, but if some of Johann's men had been around there about that time there would be one less camera man living today. And that was the end of Johann, who, next to the great Boer scout, Danny Theron, was the greatest scout in Africa.

I have been asked how the scouts keep their sense of direction. Unconsciously you always keep your direction wherever you go. It is not accurate to say that you can "feel" the direction, although you believe at times you do, yet if it were true, then any sailor at sea could know the direction. But on land you become expert. It is hardly ever possible for a trained scout to miss it. I never worried about a compass in Africa or in any strange country and never carried one. A scout was out with me and a fog came suddenly upon us and we had to backtrack through a hostile country. He had a little compass. Dismounting and placing it carefully on the ground under shelter of his hat, he lit a flash and said, "We are going straight into the Samabula Forest, due north." We knew that was full of the enemy and that daylight would be the end.

But I would not follow the compass. My own sense of direction forbid. We started off, each on his own. After he had ridden a short distance he called to me and said that he had decided to go with the Yankee scout. At four o'clock in the morning I was back on the trail and we rejoined our column all right. The compass was wrong. My instinct, or rather memory of direction, was right. Those things you acquire through practice from childhood until you become proficient. You never do become proficient enough to go into absolute blackness or out on the ocean and tell your direction.

Some of the incidents of the desert may hold your interest for a moment. There is a diminutive tribe on the Kalahari desert, called the "Mausari." They do not camp near the

pools for fear of enemies. In this instance they were hid in a grassy, scrubby kloof two miles away from water. When I came in I wanted some water, and one of the men said, "Oh, y'es, I will get it." So he took some grass, rolled it into a bundle, went to the pool, dipped it in the water and brought it back to me, constantly rotating it as he walked. He then let it drop into my tin canteen, about a pint and half. If you think this is easy to do, try it on your next hike. I have carried water up a cliff to my horse by soaking a saddle blanket, then wringing it out in a hollow rock for him to drink.

They have another strange custom on the desert. Moisture goes down into the sand to a clay subsoil, and while it does not collect in the sense of a pool, there is a water saturated sand. The black women take a long reed and insert little fibres in the reed and put it down into the wet sand and by sucking on the reed, long and carefully, they will bring up a mouthful of water and put it into a basin, and after a while they get a quart or more. You would think you could not drink that, because of the fact some of these old ladies are very "vieja," as the saying is, and you would not be pleased with the looks of their teeth. You might think, "Oh, I will dig a hole. It is only three or four feet deep to water." But you can dig and dig until you die of thirst, for there is no way of getting it excepting by the reed, and it takes a peculiar ability to get it that way. It is like using a blowpipe in an assay office. The first time you don't get results, because you don't know how. You have to use your breath in a certain way to make the flame steady. When you pull on the reed, it must be a steady pressure which will draw the moisture up into this tube. Digging is useless. And so, wherever you go, there is always something to learn, even from the most ignorant savages.

I remember an old scout, Archie McIntosh, in Arizona, who one time said to me, "Bring me a live coal for my pipe." It was a mesquite fire, always a very hot one. Upon my hesitating, he said, "You can't do that?" I said, "No." He said, "Why that little boy can do it. Bring me a coal." Sure enough, the boy reached in, picked up the coal, and brought it over. But the trick was to pick up some of the dry ashes

underneath it. We should be learning something always, no matter how long we live, or how long we play the game.

I have been asked something about the rawhide rattles that the Indians used to stampede the horses. They would take gourds and tie them together with rawhide, with little pebbles inside. Then they would tie them to a horse and turn the horse loose in the herd. That has been done many times in the Southwest.

In Africa, the military observer for the United States in the Boer War was Col. Steven Slocum, now retired. He was then a young man, and he went to Africa to see how the Boers and the British fought. He proposed to Lord Roberts to stampede the enemy's horses in that manner, as we had learned to do on the plains, among the Indians. But the way we did it, we took a big tin can and wrapped it up, and put smaller ones inside, then put a necklace of them on a spare horse and turned it among the Boer horses at night. Lord Roberts would not allow us to do it at first. However, the stunt was successfully pulled off later. It was an improvement on the old Indian rattle, but the same principle.

I remember at one time we rattled up the town of Globe, Arizona, one Fourth of July night, by taking a lot of stray dogs, and one big one, and we put a five-gallon can on the big dog, with two little cans inside. The dog went down the center of town and ran into a resort full of lights and joy, ran into the parlor, around the table, upset the lamp and set the place on fire, and half the citizens and all the "canaries" ran out into the street in the middle of the night. It was quite a celebration.

In reply to your question, "What about Lord Roberts?" It was my good fortune to serve as chief of scouts under Lord Roberts on the frontier of Africa. He brought a fund of knowledge to Africa which was almost incredible. He had 41 years of service in India, mostly on the frontiers, fighting the tribesmen in those mountain countries. They are our ancestors and clever minded people. Roberts was a small man. He won his Victoria Cross in a sword duel against two native swordsmen who attacked him simultaneously in the Sepoy Mutiny. After 41 years in India he had retired with

honors, but his son was killed fighting the Boers, and it looked as if Europe was going to combine against England. All the battleships of England were coaled and fitted up to the last minute, even with fresh vegetables, waiting for that dread hour which did not come, however, until 1914. Under these critical conditions, and in spite of his years, Lord Roberts, a truly great warrior, was asked by his country to go to South Africa to take command.

Many things I learned from Lord Roberts. He had a wonderful faculty for holding the enthusiasm of his soldiers. With Kitchener and Lord Roberts you felt that Kitchener was the great organizer; whatever plan you were ordered to do with Kitchener, you felt had been well thought out. But with Lord Roberts, if he said to go, you did not care what plan had been thought out. It was sufficient, if he gave the order, for you to follow him, anywhere, any time. He would ride up and down the lines on his little Arab saddle horse, and it was just one long cheer. I cannot think of anything like it excepting what we read in history of how Napoleon was cheered by his men as he rode before his great battalions. Lord Roberts had that strange magnetism and ability to carry the spirit of the soldier with him, from his generals down to the lowest ranks.

A little over a year ago I stood under the shadow of his monument and saw many of his old veterans reviewed. I saw the old 24th go by, and as they went by they saluted, not only the rider, but the horse as well.

Not since the days of Nelson or Lawrence has any British officer inspired the same enthusiasm as did "Bobs," as the soldier affectionately called him.

A MODERN INTERPRETATION OF THE GARCES ROUTE

By DIX VAN DYKE¹

A student of the journey of Padre Garcés across the Mojave Desert, as described in his diary,² will fail to gain a very clear impression of the trip unless he has an understanding of the country and of the Mojave River. The following brief description of the Mojave Desert and River is therefore given.

In past ages, the desert was a very rugged, mountainous country, but erosion has worn down the mountains and filled up the canyons until now it consists of numerous groups of low mountains with plains between, and gravelly slopes reaching from the level of the plains to the hill tops. The plains are really valleys surrounded by hills and mountains. One is never more than a few miles from some elevation.

The rainfall varies from three inches a year in the driest localities to eight inches in the more rainy sections of the higher elevations. In the drier regions, the rainfall usually comes either in light showers or in a heavy summer downpour.

1. Dix Van Dyke is one of our best authorities on the Mojave Desert. Twenty-six years of his life have been spent at his ranch at Daggett, on the Mojave River, and it is in the desert and its history that his main interest centers.

The retracing of pioneer trails is one of his special hobbies. He has a keen scent for quaint old maps and diaries, and finds them in most out of the way places. In his study of early travel routes, he has covered hundreds of miles of desert and mountain, making many of his journeys on foot. In regions traversed by railroads, he has been known to perch precariously on top of freight cars, the better to survey the country as he goes. Fortunate indeed is he if an auto can make its way through the sections he wishes to explore.

When, some time ago, I asked Mr. Van Dyke to write this paper on Father Garcés' route across the Mojave Desert, he had just returned from one of his characteristic jaunts. Taking advantage of a heavy rain that had packed the desert sands, he and his trusty Chevrolet had nosed their way into some hitherto unexplored places, traveling two hundred and fifty miles of trackless waste.

Mr. Van Dyke comes of a family distinguished for scholarly attainments. His great-grandfather was President of Rutgers College; his grandfather was Chief Justice of the Supreme Court of New Jersey; his uncle, John Charles Van Dyke, is author of many works of art, and of a well-known book on the Mojave Desert; his father was a graduate of Princeton, and an intimate friend and associate of John Muir, who was a frequent visitor at the desert home. Dix Van Dyke has gained most of his education from Nature herself, and it is not strange, therefore, that with such an inheritance and such associations, he sees the desert through eyes much more discerning than those of the ordinary desert visitor. His "Interpretation" that follows is a valuable contribution to Southern California History.—G. W. Beattie.

2. The most accessible form of this diary is the English version in *On the Trail of a Spanish Pioneer, Garcés' Diary, 1775-1776*, by Dr. Elliott Coues.

There will sometimes be plenty of stock feed in the shape of bunch grass, flowers, weeds, and brush; but often there are long drouths, when feed is very scarce.

The Mojave River rises in the San Bernardino Mountains east of the Cajon Pass, and in times of considerable flood flows to Silver Lake, a distance of one hundred and twenty miles. It is the only river crossing the desert between the Humboldt River, in Northern Nevada, and the Colorado. In times long gone by, it was a large river running through the country at a lower elevation than it now follows. Instead of scouring deeper, as rivers generally do, it has been raised gradually by deposits of sand and gravel, which in some places are very deep. At intervals the river bed is crossed by sub-surface dikes of rock or other impervious material, which act as dams and form natural basins that have filled with gravel and water. The annual winter floods fill these basins; and while the upper parts of them sometimes become dry, the lower parts, where the water comes to the surface, are always covered with verdure. Even through long periods of drouth, the river has always conserved its waters, and given them out gradually. For this reason, travel across the desert has always been along its course.

This river was first an Indian highway. Then came the trappers and traders from New Mexico, following it with their pack trains loaded with merchandise, and returning along it with herds of live stock. Still later came the 49'ers, seeking gold, and after them the Mormon emigrants to San Bernardino. Today the old route is followed by railroads, automobile highways and aeroplane routes.

In trying to follow the route covered by Garcés, some allowance must be made for possible errors both of Garcés himself and of his translators, and also for the fact that watering places may have disappeared during the one hundred and fifty years that have elapsed since he made his "entrada," through cloudbursts or other agencies.

Most of Garcés diary can be reconciled with the topography of the upper Mojave River today. His descriptions of certain places cannot be misconstrued, since the places look

now as they appeared when he wrote of them. Such errors as his diary seems to contain are relatively unimportant.

The Colorado River, at the point where Garcés left it, on March 1, 1776, has an elevation of 450 feet. From that point, Garcés mounted gradually to a region with an elevation of three thousand feet, through which he passed during the two days following. He evidently followed the Piute Wash (a large gulch which, after leaving the river, runs southwest and then northwest), until he reached a suitable place to leave it and turn west. His camp, on March 4, was probably in this wash. At the present time there is water in it at Klinefelter, on the Santa Fe Railway. This point would be southwest of the point where he left the river, and leaving there on March 5, he would have had to follow the wash in a northwesterly direction for a time.

On the night of the 5th, he probably stopped north of Goffs, about where Vontrigger Spring now is, reaching Providence Mountain the next night. There is no mistaking his description of this mountain, for there is no other like it.

March 7, he tells of passing through a good gap, and at the outlet finding a "canyada" with sand hills on either side. This gap is a pass in the Providence Mountain, and the sand hills are the northeast edge of the "Devil's Playground." The canyada is merely a sandy wash that meanders through the sand hills and carries storm waters from the Providence Mountain towards Soda Lake. I traversed the same canyada, in an automobile, for the reason that, like Garcés, we found the footing there firmer than it was on the sands. These places are easily visible from the town of Kelso.

March 8, Garcés evidently continued along the present route of the Union Pacific Railroad, and followed the sandy wash except in places where he could take short cuts across its curves. To the south of him was a range of rocky mountains, and to the north was a large area of sand dunes. He was picking the best route between. That night he camped at the edge of Soda Lake. The Beneme nation he describes must have been Piutes.

March 9, he arrived at the Caves Canyon, through which

the Mojave River flows. This canyon has walls several hundred feet high which are streaked with different colors. Except in flood times, all of the water flowing in this canyon rises from the ground a short distance above the upper end, and is heavily impregnated with alkali. This is the saltish water Garcés describes.

Coues has endeavored to show that thus far Garcés followed the course afterwards taken by American travelers, but he is in error. The latter route was more roundabout, and passed to the north of Providence Mountain. It was better for travelers with livestock and wagons, for it traversed country that was devoid of drift sand and that had watering places at intervals of a day's journey. It possessed no advantages for bare-footed Indians, who could easily out-travel horses. Until about 1870, or later, the desert Indians used horses only for eating, and never rode them. Indians carried but little baggage, and considered horses an encumbrance.

March 10, he followed the course of the river, and camped four miles downstream from what became Camp Cady.

March 11, he camped at the site of Camp Cady. This is a stretch of timber about six miles long.

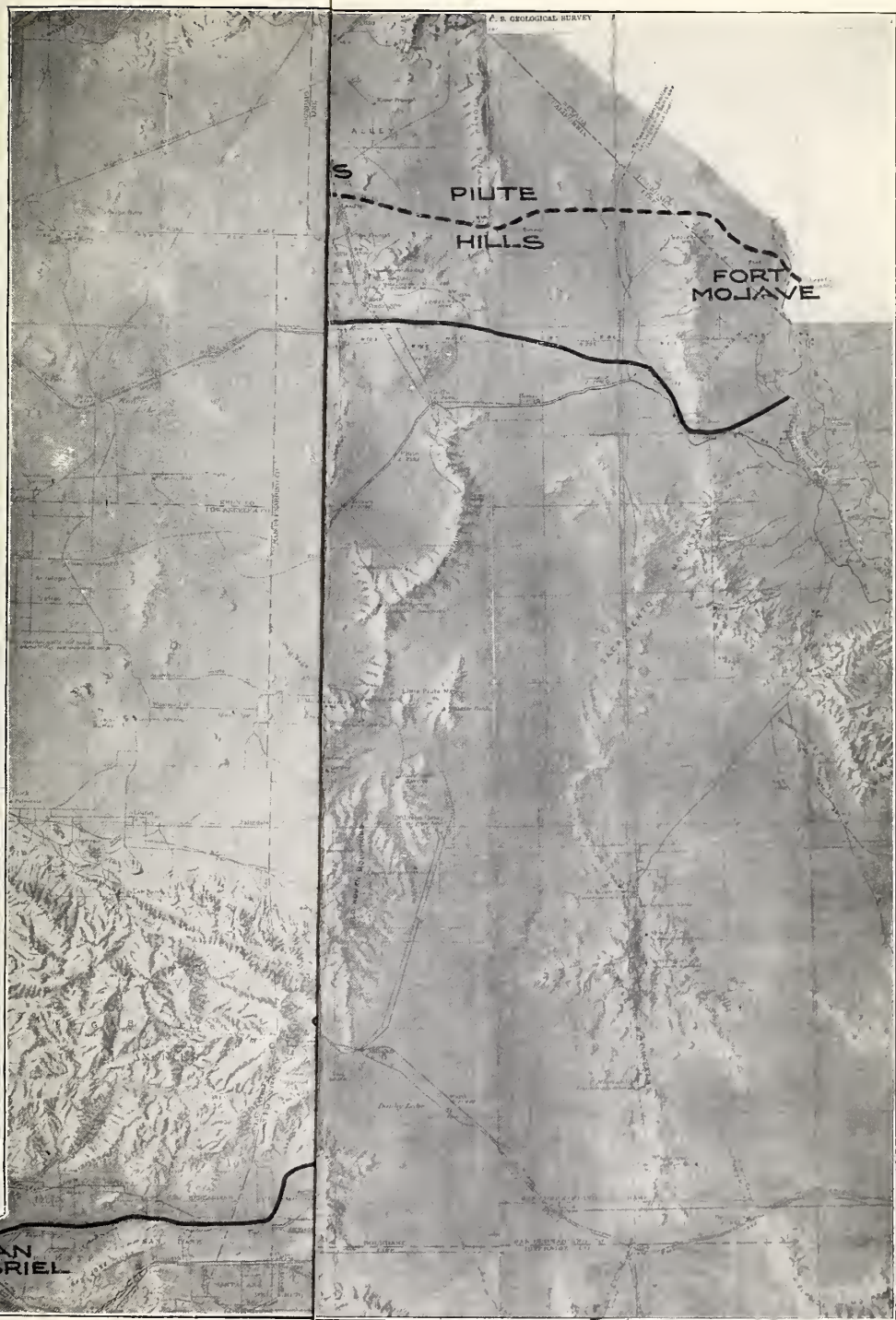
March 12, he camped at another river basin that was later called Forks of the Road.

March 15, he camped between Daggett and Barstow.

March 16, he cut across country to the east of Barstow to avoid a bend in the river, and camped about where Helendale now is. The government survey maps of 1856 show that, at that date, there was an extensive swamp opposite Helendale, into which the river flowed, and there was no river channel passing through it. Since then, floods have scoured a wide channel, and the old swamp is only a memory.

During the next four days, he wandered up the river, and on March 20, he took an observation either at the Victor Narrows or at the Lower Narrows between Victorville and Oro Grande.

March 21, he left the river above Victorville, and cutting



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The route taken by Father Garces from the Colorado River to Mission San Gabriel is indicated by the solid black line. See "A Modern Interpretation of the Garces route" on page 353. The broken line, and the solid line between Lane's Crossing and Soda Lake, shows Brown's Toll Road and the old Government Road to Fort Mojave. See "John Brown's Dairy" on page 360. It was probably Father Garces' trail that Jedediah Strong Smith traveled in 1826.—G. W. B.

across a spur of the Hesperia Mesa, reached the Little Mojave River about where Las Flores Ranch now is.³

On his return journey, he evidently descended from the Tehachapi Mountains and crossed the desert on some route between the present towns of Mojave and Helendale. There are two or three places there where water is near the surface, and the Indians probably had holes scooped out. There is now a cattle watering place midway, called Flowing Wells.

Sixty-eight years after Garcés, Frémont descended from the Tehachapi Mountains, following probably in Garcés' footsteps. He recoiled, however, in fear of the desert, and instead of taking the direct route to Mojave River, as did Garcés, he followed around the southern edge, keeping close to the mountains; and somewhere near Cajon Pass he fell into the Spanish trail, following it northward to the river below Victorville.

May 23. There is a sandy plain stretching eastward from Soda Lake and north from the westerly route of Garcés. On the edge of Soda Lake and about four or five miles from the route Garcés followed, there are some water holes with good water, known locally as Cow Holes. The Chemebet Rancheria he describes must have been within reach of this water, for there is no other near. The inhabitants were Chemehuevi Indians, who, within the memory of white men, have always lived on the Colorado River. There are now very few of pure Indian blood left, although there are many of mixed Indian and white.

May 25. Garcés was retracing his steps of March 7.

May 26. He was now traveling northward along the east side of the Providence and New York Mountains. This is an elevated country, with plains four thousand feet high and peaks rising from five hundred to about two thousand feet higher.

3. Because of unfamiliarity with the ground, Mr. Van Dyke attempts no description of Padre Garcés' travels beyond Las Flores Rancho, on March 21, 22, 23, and 24. There are difficulties for commentators in the description of this portion of the route, growing out of apparent omissions and errors in the descriptions, due perhaps to copyists. It is impossible to trace the route of March 22 by the text that has come down to us. Tracing back from San Gabriel Mission by the notes of March 24 and 23, however, we arrive at one of the streams flowing through Cucamonga, either Cucamonga Creek or one of the branches of San Antonio, near where it emerges from the mountains. On March 21 and 22, Father Garcés probably traversed Saw Pit Canyon, crossed the summit whence he saw the sea, the Santa Ana River, and the valley of San Jose, descended the southern slope by the old Indian trail along the ridge between Devil Canyon and Cable Canyon, crossed Cajon Creek between Verdemon and Devore, and skirted the base of the mountains to the Cucamonga region.—G. W. Beattie.

It has a rainfall of about eight inches, much of it falling in summer. It is the best watered section of the Mojave Desert. The plains abound in various kinds of grasses, brush, and yuccas. The heights have cedars and junipers, and in times past abounded in quail, rabbits, and wild sheep.

The watering places here are too numerous to be identified in Garcés' diary, but there is a wide plain rimmed part way round with hills, and he evidently followed a circuitous route, first paralleling the east side of the mountains until he reached approximately the southern Nevada boundary line. Thence, on the afternoon of May 28, he turned southeast to the hills now known as the Castle Mountains, about where the mining camp of Hart was later established. Thence he followed along the western slope of the Piute Mountains; and passing around their southern end, he evidently arrived, on May 29, at Piute Springs. It does not seem possible for him to have failed to visit Piute Springs. It is the only place where there is a flowing stream. Whipple described it, in 1855, as an Indian rancheria where crops were raised by irrigation. There is still a small stream of water flowing from these springs, but cloudbursts have washed away all of the arable land, leaving only a boulder-strewn wash. From Piute Springs, he could easily have reached the next camping place on May 29.

Garcés make but little mention of hardships, and the Indians seem to have treated him cordially everywhere, in marked contrast to the way their descendants treated later travelers. Frémont had to be on guard all of the time, and Whipple likewise. Each expedition lost a man who straggled behind, and the Indians were not subdued until forts had been established and many of the savages had been killed. The desert Indians were of a particularly low type. They were but little more than omnivorous animals who eked out a precarious existence by eating bugs, lizards, snakes, tortoises, mesquite beans—anything they could get that would sustain life.

According to Irving Berdine Richman in *California Under Spain and Mexico*, Garcés, when compared with his prototype, Kino, was not of so original a mind, though fully as valiant as an explorer. In him was the cardinal virtue of sincerity. Pedro

Font, his colleague on the second Anza expedition, gives the following spirited portrait of him:

“Padre Garcés is so fit to get along with the Indians, and go about among them, that he seems like an Indian himself. He shows in everything the coolness of an Indian; he squats cross-legged in a circle with them; or at night around the fire, for two or three hours together or even longer, all absorbed, forgetting aught else, discourses to them with great serenity and deliberation; and though the food of the Indians is as disgusting and as nasty as their dirty selves, the padre eats it with great gusto, and says that it is appetizing and very nice. In fine, God has created him, I am sure, wholly on purpose to hunt up these unhappy, ignorant and boorish people.”

THE DIARY OF JOHN BROWN, 1862

INTRODUCTION

The Santa Fe caravans, which during the 30's and 40's traveled between New Mexico and Southern California, came by way of Cajon Pass. Since all their goods were carried by pack animals, they easily negotiated country that would have been impossible for wagons, and they chose the shortest and most direct line through the pass that was possible. When, in '49, the gold seekers came, followed in the 50's by the Mormon immigrants, they came with wagons, and entered Cajon Pass six or eight miles west of the caravan trail, increasing their mileage in order to find a route more suitable for their wheeled vehicles.

This longer route was used until 1861, when John Brown Sr., a well-known pioneer of the San Bernardino Valley, built a toll road to the summit of the Pass, substantially along the line of the caravan trail. He maintained his toll road for eighteen years. In 1862, he also established a ferry over the Colorado river at Fort Mojave, and operated it along with the toll road. Occasional business trips were necessarily made to the ferry, and they were made over what was called the "Government Road," a road that followed the old caravan trail until it reached what was known as "Forks of the Road." From there, with slight exceptions, it followed the route over which, in 1854, Lieutenant A. W. Whipple had driven a wagon with an odometer attached.

In 1857, Lieutenant E. F. Beale had also conveyed wagons over this road, from the Colorado to a point near Hesperia where they turned off for Fort Tejon. Fort Mojave was established in 1859, and Quartermaster Captain W. S. Hancock sent supplies to it from Los Angeles over the Government Road. It was used by the Government as long as Fort Mojave was maintained. Between "Forks of the Road" and "Lane's Crossing" at the present Oro Grande, the Government Road coincided with the old trail of the Mojave Indians traversed by Father Garcés, in 1776.

The following extract from John Brown's diary covers his first trip from San Bernardino to Fort Mojave and back. It is interesting in its portrayal of conditions attending travel on the Mojave desert at that time.

G. W. BEATTIE.

THE DIARY

Wednesday, June 11, 1862. Foster left this morning with wagons and men for Fort Mojave.

Thursday, June 12. Left home, San Bernardino City, for Fort Mojave, on Red River. Found Foster and wagons at Toll House. Went on to Lane's.

[Another entry, same date.] Got to Lane's, on the Mojave River. Cold and windy. Traveled 42 miles.

Friday, 13. Left Lane's at 9 o'clock. Traveled 7 miles. Camped to noon.

Went to Point of Rocks. Stayed at Mr. Nickerson's. Foster came up in the evening. Thundered and rained hard in the afternoon. Fourteen miles. (I wrote home.)

Saturday, 14. Came two miles below old grocery. Nooned. In the afternoon traveled one mile to Point of Timber. Camped for the night. Ten miles.

Sunday, June 15, 1862. Left camp early. Nooned at the first point of timber. Salt grass. Dug a very little for water. Ten miles. After noon traveled 4 miles. Camped at point of hill, below Sugarloaf. Good grass. 14 miles.

Monday, 16. Left camp. Traveled 2 miles through sand and came to good grass and water. Watered stock. Went on. Road sandy. Blue mare gave out. Camped at Forks of Road. 14 miles. S. Burger came up.

Tuesday, 17. Remained in camp all day. Left at sunset. Stopped $1\frac{1}{2}$ miles before reaching Camp Cady, in good grass. Good water. 12 miles. Good road.

Wednesday, June 18, 1862. This morning we moved down the river $1\frac{1}{2}$ miles, near Camp Cady. We lay by till evening, then we started out. Stopped in the night till moon rose; then went on. Sun rose, very hot. Left one wagon. Stopped in creek to rest team. Reached camp at noon. Bad road. Poor grass. Head of canyon. Layed by all day. 16 miles.

Thursday, 19. Went back and got wagon. Remained in camp till evening and then moved on to the Cave or hole in the rock. Traveled 4 miles. The grass poor. Water [poor].

Friday, 20. Started early. Road bad. Left one wagon. went on several miles. Left the other wagon. I went ahead. Found holes of water (bad). Foster came up. Found water 4 miles ahead. I went back with water. Took the stock. All went on to water. *20 miles*. Camped at Soda Springs. (Tule grass.)

Saturday, June 21, 1862. Layed by all day. Indians came into camp in the evening. The boys went back and fetched up one wagon. Shot at antelope, etc. Indian left in the evening. *Hot winds every day*.

Sunday, 22. This morning we all washed our shirts, etc. Repaired wagon. Foster and myself went ahead in the evening. Got to Marl Spring at 10 o'clock next day. Good road. No grass. 30 miles.

Monday, 23. This morning at 10 o'clock Foster and myself reached the Marl Springs. 20 or 30 Piutes came to us in the evening. Foster and myself took a keg of water and started back to meet the wagon. Went 7 miles. Camped all night. No grass.

Tuesday, June 24. This morning we went 5 miles. Met and watered team. Layed by 3 hours. Then went on to the Spring. Found 25 Indians. They behaved well. Capt. John and Logan were the chiefs. In the evening traveled 7 miles. Camped for the night. No grass.

Wednesday, 25. This morning went 2 miles. Found good grass 5 miles up the valley. Found good grass and water in the canyon 300 yards to the left of the road (new spring). Layed by till evening, then crossed the summit. Down 3 miles found good water and some grass. Camped for the night, making 17 miles from Marl Spring to this place. Water in the canyon to the right. Good road. Rock springs.

Thursday, 26. Left camp at noon today. Traveled 10 miles. Stopped. Got supper, watered team, then drove on 7 miles to the top of bad, rocky hill. Camped for the night. Good grass all day. 17 miles.

Friday, June 27, 1862. This morning we crossed the

ridge down onto Piute Creek. Good grass and water. Five miles, making from Rock Spring, 22 miles. In evening reached Red (Colorado) River, 23 miles. In sight of river.

Saturday, 28. To river this morning. Laid by all day. Very hot. No grass. River high. Mosquitoes by the bushel. Found 3 men going to the mines. They came from silver mines. *Reached the river this morning.*

Sunday, 29. Today I wrote a letter to Smith. Did not send it. Layed by. Very hot.

Monday, June 30, 1862. This morning the 3 men left for the mines. Foster and myself packed up goods. The boys packed their grub and tried to make a raft. We left the goods with Sugar Foot [Sic-a-hoot, Mojave Indian chief] and started for home. Traveled all night. 23 miles.

Tuesday, July 1. Reached Piute Creek this morning, 9½ o'clock a. m. Layed by till evening. Traveled all night. Reached Rock Springs at sunrise next morning. 22 miles. Left horse in the night.

Wednesday, 2. This morning we reached Rock Springs. Laid by all day. Dock and myself slept with the horses. Good grass. Lay by till evening.

Thursday, July 3, 1862. Lay in camp till 12 m. Went on to new spring. Got supper. Watered horses. Went on 6 miles. Camped 2 hours. Went on to Marl Spring. Watered horses. Filled water kegs. Went on 5 miles. Daylight came. Camped. No water or grass. 27 miles.

Friday, 4. 10 o'clock this morning we started for Soda Lake. Reached there 12 o'clock night. Left 2 horses on the road, gave out. Lay by till next evening. This is a long stretch.

Saturday, 5. This evening we started on. Went 10 or 12 miles to point of mountain. Found bunch grass. Camped till sun rose.

Sunday, July 6, 1862. At sunrise we started. Sandy road, very hot. I went ahead. Foster and Dock started on with the 2 wagons. They came up at sunset. Got supper. Took a short nap. Then rolled on till moon down. About daylight encamped.

Monday, 7. Reached Camp Cady 4 p. m. Good water.

Some grass. Today we killed 4 antelope. Stopped once on road to rest team. Bad, sandy, hilly road all day. 22 miles.

Tuesday, 8. Started from camp in evening. Traveled 10 miles. Got supper. Road sandy. Very hot. No water or grass today. We dried meat, etc. Reached Forks of Road at 10 p. m. and all laid down to sleep. 16 miles.

Wednesday, July 9, 1862. Started from Forks of Road at 6 p. m. Reached good grass and water 2 miles below Sugar-loaf at 12 o'clock at night. Road sandy. This is called the Fish Pond.

Thursday, 10. From the Fish Pond we came to Grape Vine Springs. Lay by till evening, where we met a company on the way for the River. 1 horse packed. (Slack was the name of their guide.) Low came to us today. Moved near old grocery in evening.

Friday, 11. Reached Nickerson's, Point of Rocks, at 9 a. m. Lay by till evening. Then went half way to Lane's. Camped for the night.

Saturday, July 12, 1862. This morning at 8 o'clock reached Lane's. In the afternoon I went to the Toll Gate.

Sunday, 13. I missed one day in this journal somewhere and am one day behind the right date.

Monday, 14. Today I reached home.

WHERE DID FREMONT CROSS THE TEHACHAPI MOUNTAINS IN 1844?

By HENRY WARREN JOHNSON, M. D.

Most of the authorities on the history of California assert, or imply, that the Lieutenant at this time traveled the pass now known as Tehachapi.¹ The uncertainty clouding this small detail in Dr. Cleland's account, intrigued the writer to attempt some research in this direction, with the wholly unexpected result that he is forced to conclude that the Pathfinder used none of the passes mentioned in the standard texts, but rather the one now known as the "Oak Creek Road." This is neither named nor otherwise referred to in any work that has come to his notice, but was an old and well-trodden trail as late as 1870. This paper deals with the reasons for arriving at this somewhat surprising conclusion.

Some idea of the geography of this region may be obtained from the accompanying map. The Tehachapi mountains form an east and west link at about the 35th parallel, between the southern end of the Sierra Nevadas on the east, and the Coast ranges on the west. They mark the southern limit (head) of the San Joaquin Valley, which is walled in on three sides by these three mountain groups. South and east lie the Mojave and Colorado deserts. Lieutenant Williamson, who, under orders from the War Department, examined these Tehachapi mountains in 1853 for the purpose of finding the most practical passage for a railway, discovered six more or less available passes through them, of varying degrees of difficulty.² Beginning with the most easterly, they were as follows:

1. Bancroft: Fremont and his party "were guided by Christian Indians through Tehachapi Pass, so far as I can determine from the map and narrative, and not through Walker's Pass at all." (*History of California*, Vol. IV, page 439.)

Eldredge: "The party explored the San Joaquin Valley to its southern limit,—passing out of it by the Tehachapi Pass, apparently, instead of Walker's Pass as was intended—and returned east to Salt Lake." (*History of California*, Vol. III, p. 5.)

Dellenbaugh: "The Atchison, Topeka and Santa Fe and the Southern Pacific railways now utilize the Tehachapi Pass for the traverse from the San Joaquin Valley to the desert." (*Fremont and '49*, p. 246.)

Cleland: "The Americans fell in with a Christian Indian from the San Fernando Mission, who led them either through the Tejon or the Tehachapi Pass." (*History of California, American Period*, p. 137.)

2. Williamson, "Report of Explorations in California for Railroad Routes," in *Explorations and Surveys for a Railroad Route to the Pacific*, Vol. V, Pt. I, p. 16.

Walker's Pass. (Near Freeman.)

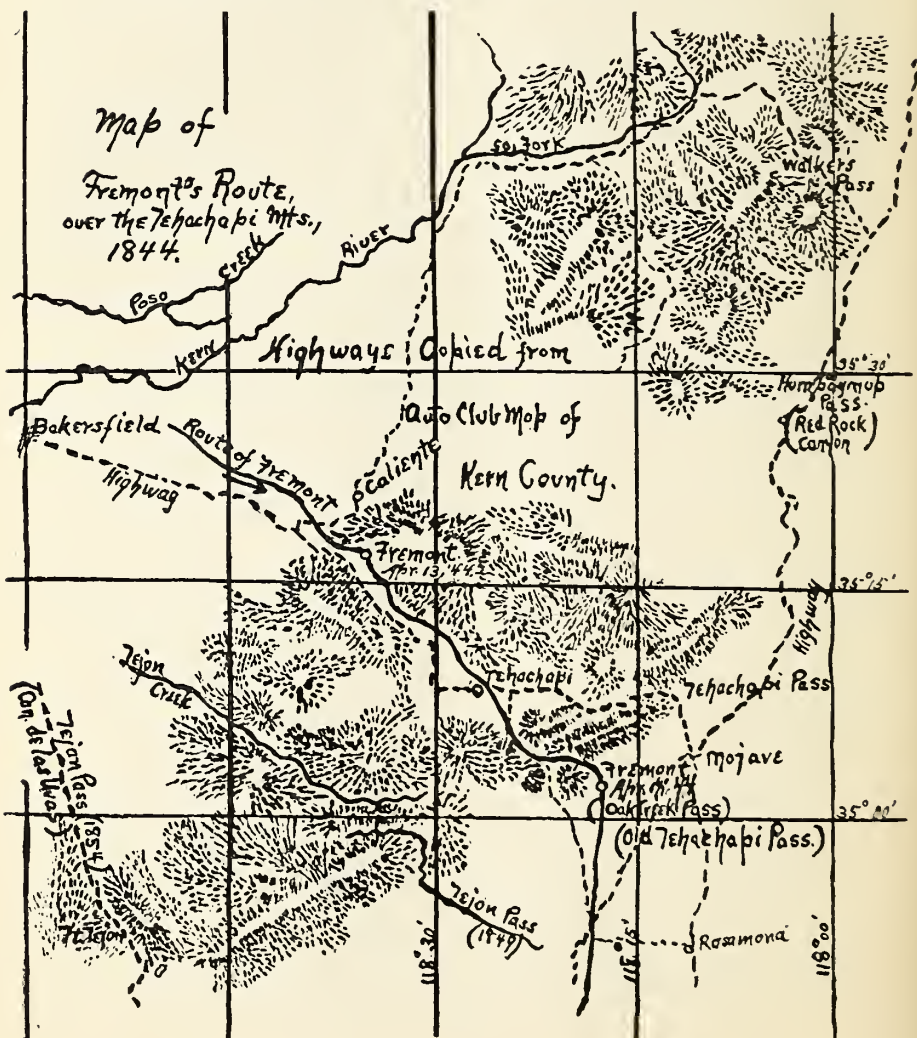
Tehachapi Pass. (Traversed by the railways.)

Oak Creek Road. (Willow Springs north to Tehachapi.)

Tejon Pass. (Original pass of that name, along Cottonwood and Tejon Creeks.)

Canyon de las Uvas. (Present Tejon Pass.)

San Emidio Pass. (San Emidio Creek to Cuddy Valley.)



A seventh, Humpayamup, is only a southern branch of Walker's, debouching into the desert through Red Rock (?) Canyon. Much confusion has arisen in published accounts, due to the fact that each of three of these names, Walker's, Tehachapi, and Tejon, has been applied to two different passes in succession.³

It is unnecessary and would be out of place to detail here the circumstances which brought Lieutenant Frémont and his party into California and to Sutter's fort in March, 1844. It is sufficient to say that after about two weeks' rest on the Sacramento, it seemed best to go south to the head of the San Joaquin Valley, cross the Tehachapi into the desert, and follow along its western border till they found the Old Spanish Trail at Cajon Pass.⁴ Proceeding over this route through Utah, they planned to return to the Missouri by way of Bent's Fort.

In accordance with this scheme, Frémont found himself, at the close of Saturday, April 13, at a point which, from his bearings, appears to have been a few miles southeast of the site of the present city of Caliente.⁵ A nearby stream he named "Pass Creek."⁶

That evening, they were very much surprised and pleased as well, to see a young Indian ride into the camp, well-dressed

3. This word "Tehachapi" is the Indian term meaning "windy." Those who have left the desert in the afternoon through almost any one of its western passes know altogether too well that it applies to these passes admirably. Lieutenant Williamson found it already allocated to the pass now used by the railways. Resident pioneers in the valley occasionally give the name to the Oak Creek road, but if historians have this latter trail in mind when they use the term, they give no hint of it.

4. Fremont, *Report of the Exploring Expedition to the Rocky Mountains*, Gales & Seaton, 1845, p. 248.

5. The itinerary of this part of the journey reads as follows:

Date	Latitude	Longitude	Mileage
April 13	35 deg. 17 min.	118 deg. 35 min.	32
April 14	35 deg. 03 min.	118 deg. 18 min.	32
April 15	34 deg. 42 min.	118 deg. 20 min.	39

The camps at end of each day:

- April 13. Pass Creek. (Tehachapi Creek, near Caliente.)
- April 14. Small stream east of Sierras. (West of Mojave.)
- April 15. Rock Springs. (North by west of Del Sur.)

(*Report*, H. R., Blair & Ives, 1845, p. 298.)

Concerning Fremont's bearings, it should be said that authorities, including Fremont himself, agree that they are not always strictly accurate, especially the longitudes. When we consider the vicissitudes to which his instruments must have been subjected by the exigencies of his mode of travel, the wonder is not that inaccuracies are found, but rather that he was able to obtain any data at all under the circumstances. The actual camps of the 14th and 15th would seem to have been about three miles west of the sites indicated.

6. Authorities agree that "Pass Creek" is identical with the one now called "Tehachapi Creek." In 1853, Lieutenant Williamson, coming upon it near its sources, followed it some fifteen miles down to where it lost itself in the Tulare. (*Op. cit.* p. 19.) Dellenbaugh locates this camp on Cottonwood Creek, a small affluent of the Kern not far from Bakersfield. On the next page, he refers to Tehachapi Creek as though it were a branch of the Cottonwood. ("*Fremont and '49*," p. 243.)

in Spanish costume, and able to speak the language fluently. Very friendly relations were established. He said that he belonged to the Mission at San Fernando, was on his way thither, and, if desired, would guide the party across the mountains and as far as San Francisquito Canyon, where his trail departed from theirs. Frémont was more than glad to accept his leadership. Moreover, with the boy, to appear later, were a number of his friends who came from "a great river in the eastern part of the desert," to trade. They were now returning, and the Lieutenant and his people could travel with them, which would seem to be a debatable pleasure along a well-marked trail like the Mormon path.

It is quite probable that the advent of this Indian caused a complete change in Frémont's plans, and that the following of the Indian's advice saved the company from fatal disaster in Death Valley. It will be recalled, in connection with this expedition of 1843, that an ulterior and well-nigh secret object was the exploration of the southern part of the Great Basin. With this idea in mind, Frémont left the Dalles in November. He pigeon-holed it when he arrived at Pyramid Lake. The condition of his animals' feet, and lack of materials to keep them shod, made the long southern trip impossible at this time.⁷ Accordingly, he was forced to find Sutter's Fort, reluctantly postponing the Basin work indefinitely.

As we have seen, he departed from the Fort intending to return to the Missouri by way of the Old Spanish Trail. But entering the foothills of the Tehachapis, the lure of the unknown basin seized him again. He decided to go directly eastward from the pass. Broaching this plan to the Indian boy, he was at once told of the unparalleled dangers of that region. "His representation, which described it as an arid and barren desert, that had repulsed, by its sterility, all attempts of the Indians to cross it, determined me to relinquish the plan."⁸

Breaking camp the next morning, and led by their new guide, the party proceeded up the creek. They had not gone far when they came to a fork in the stream. They followed the right-hand branch to its head waters, which would bring

7. Fremont, *Op. cit.*, p. 220.

8. Fremont, *Op. cit.*, p. 254.

them into the lower, western end of the Tehachapi Valley, not far from the site of the present city of Tehachapi. The Lieutenant doesn't mention the valley, but discourses at length on the beauties of the region. About mid-afternoon, apparently, they reached the summit of a pass, which Frémont named "Walker's Pass."⁹ That this is not the one now known by that name, which is nearly two degrees north of this one, is evident after a moment's consideration, as follows: We know that on that 14th of April they traveled 32 miles, and pitched camp on "a small stream east of the Sierras."¹⁰ It would have been hopelessly impossible to have moved that cavalcade, which usually strung out to a length of a quarter of a mile, between the terminal points of that day's journey by way of our Walker's Pass, covering only 32 miles in transit, especially as the trail through this latter pass was difficult, and not conducive to rapid traveling.¹¹ He doesn't give the bearings of his "Walker's Pass," but says that "its latitude and longitude may be considered that of our last encampment, only a few miles distant . . . our half-wild cavalcade making it too troublesome to halt before night, when once started."¹² This would seem to effectually dispose of the notion that, on this expedition, he went through the present Walker's Pass. But the fact that he referred to that pass at least twice in his report, rather calls for some consideration of it.

Several authorities are seemingly of the opinion that the Lieutenant made use of the present Tehachapi Pass at this time. We have noted Dr. Cleland's suggestion. Even Dellenbaugh, who seems to have traveled most of the route, if not the entire trail, of this expedition, brings him through Tehachapi, by implication at least.¹³ He mentions no other. One hesitates a long time before harboring doubts concerning statements of accepted authorities like these, and it is with much diffidence that the writer is offering a different opinion. But a summer's study of contemporaneous writers, including, of course, Frémont's own account, together with many hours spent in personal exploration of old and new trails in this

9. Fremont, *Op. cit.*, p. 248.

10. See Note 5.

11. Williamson, *Op. cit.*, p. 16.

12. Fremont, *Op. cit.*, p. 255.

13. See Note 1.

section, has convinced him that Lieutenant Frémont not only did not use this pass, but was unaware of its existence until several years later.¹⁴

On one of his trips to Tehachapi, the writer was fortunate enough to meet Mr. Robert F. Glenn, one of the earliest pioneers of this region. He had been recommended by responsible parties, and was found to be an interesting raconteur, with an apparently excellent memory. He entered the valley in 1868, over what is now called the "Oak Creek Road," from the vicinity of Willow Springs. There was then "nothing to be seen in the valley but red cattle." Except for four years, he has never lived elsewhere. This Oak Creek Road was the first across the mountains, and old when his party trod it. It was the routine trail of the natives.

The summit is but six miles from the city of Tehachapi, over an excellent dirt road, which leaves the highway near the railroad "Y," west of Monolith. The grades occur in the last two miles. Most cars will negotiate them in high gear. Three springs were noted by the roadside on the way, and others on the descent beyond, which explains the popularity of the pass. And this was in August. The high point is a broad, shallow depression between two low hill-tops, neither one high enough to obstruct the views. These are very extensive and full of variety, as interesting as any in this part of the state. A visitor is at once struck with the aptness of Frémont's description of "this beautiful pass," especially on driving through

14. Williamson thinks that Lieutenant Fremont never saw the Pass called Walker's until ten years after he made this crossing of 1844. In a letter by Fremont under date of June 13, 1854, we find this:

"Commencing at the 38th, we struck the Sierra Nevada at about the 37th parallel on the 15th of March. . . . I expected to find the Sierras here broad, rugged, and blocked up with snow, and was not disappointed in my expectations. . . . I accordingly turned southward some sixty or eighty miles, making a wide sweep to strike the point of the California mountain where the Sierra Nevada suddenly breaks off and declines into a low country. Information obtained from the Indians years before, led me to believe that the low mountains were broken into numerous passes, and at all events I had the certainty of an easy passage through the mountains by either of Walker's Passes. When the Point was reached, I found the Indian information fully verified; the mountain suddenly terminated and broke down into lower ground, barely above the level of the country, and making many openings into the valley of the San Joaquin. I entered the first which offered (taking no time to search, as we were entirely out of provisions and living upon horses), which led us to an open and almost level hollow thirteen miles long, to an upland not steep enough to be called a hill, over into the valley of a small affluent of the Kern River; the hollow and the valley making a way where a wagon would find no obstruction for forty miles." (*House Miscellaneous Documents*, 33d Congress, 2d Session, Doc. 8.)

Rather a roscate description of Walker's Pass. Forty miles brings him only to Isabella—the worst section lies between that point and the plains below. This pass did not achieve its name until the winter of 1845-46, when the failure of Fremont and Walker to meet at the "River of the Lake," advertised it so thoroughly that Walker's cognomen was affixed to it for all time.

it. We were standing where he probably passed,—we have his word for it that he was unable to loiter here for observations—at the head of a beautiful miniature valley extending eastward for a few miles to low foothills in which it lost itself just before debouching into the desert beyond. At our feet began a long, gentle slope down to Oak Creek, whose sinuous course through its meadows was marked by a dark green ribbon of oaks, which dotted the valley floor. On either side, rising in a wide, graceful sweep, were the “low Sierras,” mentioned by Frémont, their summits across from us forming an undulating line. To the right, the higher mountains led the way toward the Coast ranges at the Canyon de las Uvas, our Tejon Pass. Behind and to the left a similar mass of peaks pointed the way to Mt. Whitney and the higher Sierras. This for the foreground. South and east, beyond the low hills across the creek, lay the desert half-veiled in the August haze. We saw the “bald rocks” standing like shrouded ghosts of massive hills that had been. Still farther away, the “Lost Mountains,” dimly outlined where sky and desert dissolved in each other. What might this scene have been on that Sunday afternoon in April, when it broke suddenly upon Frémont’s gaze as he came over the crest!¹⁵

The party seems to have been led down from the summit to the creek, “passing by some springs, where there was a rich sward of grass among groves of large black oak,” and “rode over a plain” along the creek. Leaving the creek where a shallow gap appears southward, they seem to have thereby

15. It is interesting to compare the two descriptions, Williamson’s and Frémont’s, of what most authorities seem to consider the same pass. The former says:

“A small lake bed covered with incrustations of salt, lies at the entrance . . . and two miles farther [east] we found springs of fresh water. There was a continuous bed of a stream, now dry [in August], continuing into the basin [Mojave Desert], and the bases of the hills on either side were one-fourth mile apart. The descent, for the first six miles from the prairie [Tehachapi Valley], was less than eighty feet to the mile, and farther down it was even more gradual.” (Op. cit., p. 19.)

Anyone who has driven through the Tehachapi Pass from Monolith will agree that it would be difficult to put a more accurate description of it into the same number of words. Now listen to Frémont:

“As we reached the summit of this beautiful pass, and obtained a view into the eastern country, we saw at once that here was the place to take leave of all such pleasant scenes as those around us. The distant mountains were now bald rocks again; below, the land was any color but green.” *Report*, p. 255.)

So far as it goes, this is an equally accurate description of the pass he traveled, but it certainly cannot, by the most liberal construction, be made to apply to the Tehachapi Pass. The summit of this latter pass is at the railroad “Y,” Williamson’s viewpoint. Frémont mentions the “black oaks.” If there are any in Tehachapi Pass, they have escaped the writer’s notice.

made a short cut to a second stream, where they pitched the camp for that night, in sight of the desert. The distance between two points, one of which is in Tehachapi Valley, the other in the desert, is fifteen miles shorter than that between the same points by way of Tehachapi Pass.¹⁶ Thus it would have been difficult, if not impossible, to have made this day's march through the latter pass and covered but 32 miles.

But a more cogent reason for the belief that Frémont came over Oak Creek Pass, more convincing than any mentioned thus far, lies in the fact that Mr. Charles Preuss, who was with the Lieutenant on this expedition as chief assistant in the topographical work, also accompanied Lieutenant Williamson nine years later, when he was examining these passes for railroad purposes. Preuss pointed out this Oak Creek Pass to Williamson as the one used by Frémont when he and Preuss crossed these mountains in 1844. Let Williamson tell the story himself. He and Preuss had just finished the work in Tehachapi Pass.

"We next proceeded to examine the place where Col. Frémont passed, and which was pointed out to me by Mr. Preuss, who was with him at the time, and later plotted his notes. This point . . . was in a much straighter line to the Mojave river than the outlet of the prairie we discovered. In crossing, we had to ascend 600 feet in less than two miles. This point would be preferable for a wagon road, being much more direct, and the ground, in wet weather, more solid than in the outlet."¹⁷

This "outlet" is the present Tehachapi Pass. The "prairie" is the valley at the head of the pass. He goes on to say that, for railroad purposes a tunnel would be required in this pass, and that the longer route through the Tehachapi would be less expensive. This would seem to remove the last doubt as to which one Lieutenant Frémont traveled on this expedition.

It might be well to add that both Tejon Passes are out of the question. They are too far from the terminals of this day's journey. The more important, and probably the older

16. Williamson, *Op. cit.*, p. 20.

17. *Op. cit.*, p. 19.

of the two, was part of a trail which, coming up San Francisco Canyon, passed to Elizabeth Lake. Turning north at the western end of this sheet of water, it crossed Antelope Valley northwestward till it reached Cottonwood Creek. Following this to near its source, it turned directly north through a canyon, the original Tejon Pass, and soon struck the headwaters of Tejon Creek, which it followed into the San Joaquin Valley. About 1849, this road was made passable for wheels, though in 1853, Colonel Williamson stigmatized it as "the worst road he ever had seen," and doubtless he had had much experience. After his examination of the Canyon de las Uvas, fifteen miles farther west, he was so much impressed with its availability for transit purposes, that he immediately set men at work transforming it into a wagon road. The following year, the War Department erected a military post thereon (Fort Tejon). Since then it has been one of the two main highways between southern points and the San Joaquin Valley.

